

TSD File Inventory Index

Date: April 8, 2004

Initial: CMH/MSW

Facility Name		<u>Peterson Builders, Inc. (Plant #2)</u>	
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1 Correspondence		2 RFI Workplan	
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Total - 7

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2 Interim Measures		1 Correspondence	
3 CMS Workplan		2 Reports	
4 CMS Draft/Final Report		F Imagery/Special Studies (Videos, photos, disks, maps, blueprints, drawings, and other special materials.)	
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4 CMI Draft/Final Reports		7 Corrective Action/Remediation Implementation	
5 CMI QAPP		8 Endangered Species Act	
6 CMI Correspondence		9 Environmental Justice	

Note Transmittal Letter to Be Included with Reports.
Comments _____

MEMORANDUM OF TELEPHONE CONVERSATION

May 30, 2007

From: George Hamper
Chief CA Section, ECAB

To: Sandy Orsted
Peterson Development

RE: WID096828975
2020 notification letter

I contacted Ms. Orsted to explain that the facility is subject to our corrective action authority because it operated a treatment, storage or disposal unit at one time and completed clean closure in 1992. All of the T/S/Ds in Wisconsin have been included in the 2020 universe, so the facility will not be removed from the 2020 universe.

Our contractor prepared a PA/VSI report in 1992 assessing the need for corrective action for releases from SWMUs or other areas of concern at the facility. If the regulated unit was the only unit of concern identified in the PA/VSI report, then probably no further cleanup would be required. In any event, WDNR will be the lead agency on this project. She has already talked to Mark Gordon.

WID 096828 975

PETERSON DEVELOPMENT, LLC

41 NORTH THIRD AVENUE STURGEON BAY, WISCONSIN 54235

PHONE: (920) 743-5574 FAX: (920) 743-6089

orsteds@pbinc.com
(920) 743-5574 ext128
fax: (920) 743-6089

May 21, 2007

CERTIFIED MAIL RETURN RECEIPT REQUESTED

United States Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3590

To the Attention of DE-9J

We are in receipt of the enclosed letter concerning the property of our former Plant 2 in Sturgeon Bay, Wisconsin. We believe that this property has been incorrectly included in the "2020 Universe" described in your letter.

Your letter indicates that no action is required at the site if the clean-up was completed in accordance with existing state rules. Enclosed is the record from the Wisconsin DNR BRRTS system which shows that the remedial action required by the site was closed in 2000.

We respectfully request that the site be removed from the 2020 Universe list.

PETERSON DEVELOPMENT LLC



Sandy Orsted
Vice President

cc: Amerifab Corporation
PO Box 66
Sturgeon Bay, WI 54235

Lift Industries LLC
c/o G. Lamer
1047 Cove Road
Sturgeon Bay, WI 54235



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

APR 13 2007

REPLY TO THE ATTENTION OF:

DE-9J

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

WID096828975

PETERSON BUILDERS INC PLT 2

PO BOX 650

STURGEON BAY, WI 54235

RE: WID096828975

PETERSON BUILDERS INC PLT 2

Dear Plant Manager/President:

The Wisconsin Department of Natural Resources (WDNR) and the United States Environmental Protection Agency (U.S. EPA) have compiled a list of all facilities that are subject to regulation under the Resource Conservation and Recovery Act's (RCRA) Corrective Action Program.

Because these sites will be part of a set of 3,880 facilities nationwide that have national remediation goals which will culminate in the year 2020, it is referred to as the 2020 Corrective Action Universe. **Your facility is part of this 2020 Universe.**

Your facility has been included in the 2020 Universe because *one or more of the following is true:*

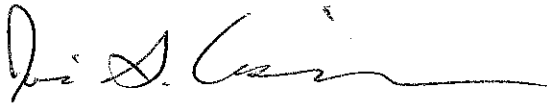
- It has a RCRA permit obligation, or
- WDNR and U.S. EPA agreed that your site is subject to regulation under the RCRA Corrective Action Program.

Inclusion on this list does not imply failure on your part to meet any legal obligation, nor should it be construed as an adverse action against you. It only means that if a discharge has occurred that has not already been addressed it needs to be investigated and remediated in a timely manner. Our national program goal is to largely address these cleanup obligations before the end of 2020. Accordingly, progress will be tracked for each facility in the 2020 Universe. The list of facilities will be posted on our web site at <http://www.epa.gov/correctiveaction> after April 16, 2007.

You should be aware that WDNR recently signed a Memorandum of Agreement (MOA) with U.S. EPA Region 5 that allows them to use their state cleanup rules (NR 700 series) to address releases from these facilities. In accordance with the agreement, U.S. EPA Region 5 does not anticipate taking action at your facility if cleanup is completed in accordance with existing state

rules. If you have any questions regarding this letter, please contact Mark Gordon at (608) 266-7278.

Sincerely,

A handwritten signature in black ink, appearing to read "Jose G. Cisneros", with a long horizontal flourish extending to the right.

Jose G. Cisneros, Chief
Waste Management Branch

**BRRTS on the Web Activity Details
for PETERSON DEVELOPMENT LLC***Printed Thu, 17 May 2007 09:39:16 CDT***Activity No:** 02-15-216700**Activity Name:** PETERSON DEVELOPMENT LLC**Type:** ERP**Status:** CLOSED**Jurisdiction:** DNR-RR**Start Date:** 02/26/1999**End Date:** 03/06/2000**Last Action:** 03/06/2000**Location:** PETERSON DEVELOPMENT LLC**FID:** NONE**Address:** E WALNUT & S NEENAH**Municipality:** STURGEON BAY**County:** DOOR**WI Region:** NORTHEAST**Commerce No:** 54235999900**EPA ID:** NONE**Risk:** LOW**Plot Size:** UNKNOWN**Comments:****EPA NPL?:** No**Commerce Tracked?:** Yes**PECFA Eligible?:** No**AST?:** No**Drycleaner?:** No**Co-Contamination?:** No**Geo-Located?:****PLSS:** NE 1/4 of the NE 1/4 of Sec 18, T27N, R26E

Actions		
Date	Name	Comment
02/26/1999	Notification	-
03/25/1999	RP Letter Sent	-
04/22/1999	Site Investigation Workplan Received (w/out Fee)	-
06/30/1999	Status Report Received	INTERIM ACTION REPORT
07/12/1999	Status Report Received/2	WORKPLAN FOR PHASE 2 INVESTIGATION

08/16/1999	Status Report Received/3	PHASE 2 SOIL QUALITY REPORT
08/25/1999	Activity Transferred to DCOM	-
01/21/2000	DCOM Transferred Back to DNR	-
01/25/2000	Closure Review Request Received with Fee	-
03/06/2000	Activity Closed	-

Type	Impacts
Comment	
Soil Contamination	-

Type	Scoring	Date	Score
------	---------	------	-------

Substance Name	Substances	Released Amt
Diesel Fuel	Petroleum	
Gasoline - Unleaded and Leaded	Petroleum	

Incident Date	Reported Date	Investigator	Spill Info
			Source

Action	Spiller Actions
	Comment

Who

Responsible Party:
PETERSON BUILDERS INC 41 N 3RD AVE STURGEON BAY, WI 54235

Former Project Manager:
WI DEPT OF COMMERCE (DCOM) 201 WEST WASHINGTON AVE MADISON,
WI 53703

Project Manager:
JASON MOELLER 2984 SHAWANO AVE GREEN BAY, WI 54307

BRRTS data comes from various sources, both internal and external to DNR. There may be omissions and errors in the data and possible delays in updating new information. Please see the legal notices and disclaimers page on BRRTS on the Web for more information.

RECEIVED JUL 09 1993
WMD RCRA
RECORD CENTER Compliance

LMD
DNR District

WID 096828975
EPA ID Number

STATE OF WISCONSIN
Department of Natural Resources
General Facility Standards Inspection Form
Treatment, Storage, and Disposal Facilities

RECEIVED

APR 8 1992

OFFICE OF RCRA
Waste Management Division
ST. IGNACE, REGION V

Note: A separate inspection form must be completed for each treatment, storage, or disposal facility, even if more than one facility is owned by the same person or company unless the facilities are located on one contiguous parcel of land.

I. General Information

Corporate/Facility Name: PETERSON BUILDERS, INC

Facility Location:

Street: 107 EAST WALNUT

City & Zip: STURGEON BAY

Town:

County: DOOR

Contact Person: TOM ANDERS

Title: ENVIRONMENTAL AFFAIRS, MGR

Facility Mailing Address:

Street: P.O. Box 650

City: STURGEON BAY

State: WI

Zip Code: 54235-0650

Phone: 414-743-5574

Operator:

Title:

Street:

City:

State:

Zip Code:

Phone:

Legal Owner: E.L. PETERSON

Street: SAME

City:

State:

Zip Code:

Phone:

SAME

Company Product/Main Process: SHIP BUILDING

DNR District Inspector: LEN POLCZINSKI

Date: 3/17/92

II. General Facility Standards

A. Notification: (NR 630.11)

1. Has the facility submitted a notification form to the U.S. EPA with a copy to the Department and obtained an identification number?

[] []
Yes No

(Comments or Clarification)

B. General Waste Analysis: (NR 630.12)

Note: The TCLP checklist must be completed and sent to U.S. EPA Region V.

1. Is a detailed chemical and physical analysis of a representative sample of each waste obtained in order to treat, store or dispose of the waste properly? (NR 630.12(1))

[] []
Yes No

(Comments or Clarification)

2. Has the waste analysis been repeated after notification that the process or operation generating the hazardous waste was changed? (NR 630.12(3))

[] []
Yes No

(Comments or Clarification)

3. Is there a written waste analysis plan on file at the facility? (NR 630.13(1))

[] []
Yes No

(Comments or Clarification)

If the answer to #3, above, is yes, then answer question #4 entirely. If the answer to #3, above, is no, then a waste analysis plan must be developed and kept at the facility.

4. Does the written waste analysis plan contain:

- a. The parameters for each waste tested and the reason for selecting the parameters? (NR 630.13(1)(a))

[] []
Yes No

(Comments or Clarification)

- b. The test methods used for each parameter? (NR 630.13(1)(b))

[] []
Yes No

(Comments or Clarification)

NOTE: Compliance Evaluation Inspection Form and CME Form (Form 4430-5) must accompany this form.

Submission of this form is voluntary.

A. GENERAL INFORMATION (WDNR USE ONLY):

1. Facility Name (As shown in a current EPA Notification Printout) Peterson Builders, Inc.		EPA ID Number WI D096828975	FID Number 415011410
Facility Location 107 East Walnut		Notification Status (As shown in a current EPA Notification Printout) (Circle all that apply)	
City, State, Zip Code Sturgeon Bay, WI 54235		<input checked="" type="checkbox"/> LQG <input type="checkbox"/> SQG <input type="checkbox"/> VSQG <input type="checkbox"/> TRANS <input checked="" type="checkbox"/> TSD	
Compliance Evaluation Inspection Date 3/17/92		Other _____	
WDNR Specialist Name/Telephone Number Ken Polczinski			

B. STATUS CHANGE INFORMATION - TO BE COMPLETED BY FACILITY (Check all that apply):

Change This Facility's Notification Status To:

☐ 1. NON-HANDLER

This facility does not generate, transport, treat, store or dispose of any hazardous waste, and does not intend to conduct such activities in the future.

☐ 2. VERY SMALL QUANTITY GENERATOR

This facility is a very small quantity generator of hazardous waste. This means that we generate less than the following per any calendar month: (1) 100 kg or 220 lbs of hazardous waste, (2) 1 kg or 2.2 lbs of acute hazardous waste, and (3) 100 kg or 220 lbs of acute hazardous waste spill cleanup material; and accumulate less than the following at any time: (a) 1,000 kg or 2,205 lbs of hazardous waste, (b) 1 kg or 2.2 lbs of acute hazardous waste, and (c) 100 kg or 220 lbs of acute hazardous waste spill cleanup material. We intend to meet these generation and accumulation requirements in the future.

☐ 3. SMALL QUANTITY GENERATOR

This facility is a small quantity generator of hazardous waste. This means that we generate less than the following per any calendar month: (1) 1,000 kg or 2,205 lbs of hazardous waste, (2) 1 kg or 2.2 lbs of acute hazardous waste, and (3) 100 kg or 220 lbs of acute hazardous waste spill cleanup material; accumulate less than the following at any time: (a) 6,000 kg or 13,230 lbs of hazardous waste, (b) 1 kg or 2.2 lbs of acute hazardous waste, and (c) 100 kg or 220 lbs of acute hazardous waste spill cleanup material; and accumulate this waste in containers or above-ground tanks for less than 180 or 270 days (depends on distance waste is transported). We intend to meet these generation and accumulation requirements in the future.

☒ 4. LARGE QUANTITY GENERATOR - REMOVE/INACTIVATE TSD STATUS

This facility is a large quantity generator of hazardous waste. This means that we generate more than the following per any calendar month: (1) 1,000 kg or 2,205 lbs of hazardous waste, (2) 1 kg or 2.2 lbs of acute hazardous waste, or (3) 100 kg or 220 lbs of acute hazardous waste spill cleanup material; and accumulate this waste in containers or aboveground tanks for less than 90 days. We intend to meet these generation and accumulation requirements in the future.

☐ 5. TRANSPORTER

This facility transports hazardous waste by air, rail, highway or water.

☐ 6. TREATER/STORER/DISPOSER

This facility treats, stores for greater than 90 days, and/or disposes of hazardous waste on-site.

☒ 7. OTHER: This facility is ~~no longer a storage facility~~ Generator status remains as is

This category may be used for facilities involved with Waste-As-Fuel, Used Oil, etc. activities, Non-Regulated Installations (as indicated in columns 1 or 11-14 in the EPA Notification Printout), or other. Please explain.

C. CERTIFICATION:

The following certification must be signed by the owner or operator of the facility, or on behalf of the owner or operator, by an individual who meets the requirements of s. NR 181.55(3)(b) or s. NR 680.05(2)(b), Wis. Adm. Code.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted, is to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name of Owner and/or Operator (Print or type) Thomas Anders	Signature Thomas Anders	Date 1 July 92
Mailing Address (If different than above) Mgr of Environmental Affairs		Telephone Number (Include area code) (414) 743-5574 EXT 248
101 Pennsylvania St P.O. Box 650		City, State, Zip Code Sturgeon Bay WI 54235-0650

NOTE: Compliance Evaluation Inspection Form and CME Form (Form 4430-5) must accompany this form.

Submission of this form is voluntary.

WID096828975

A. GENERAL INFORMATION (WDNR USE ONLY):

Facility Name (As shown in a current EPA Notification Printout)	EPA ID Number WID096828975	FID Number
Facility Location	Notification Status (As shown in a current EPA Notification Printout) (Circle all that apply)	
City, State, Zip Code	<input checked="" type="checkbox"/> LQG <input type="checkbox"/> SQG <input type="checkbox"/> VSQG <input type="checkbox"/> TRANS <input checked="" type="checkbox"/> TSD	
Compliance Evaluation Inspection Date	Other _____	
WDNR Specialist Name/Telephone Number		

B. STATUS CHANGE INFORMATION - TO BE COMPLETED BY FACILITY (Check all that apply):

Change This Facility's Notification Status To:

- ☐ 1. **NON-HANDLER**
This facility does not generate, transport, treat, store or dispose of any hazardous waste, and does not intend to conduct such activities in the future.
- ☐ 2. **VERY SMALL QUANTITY GENERATOR**
This facility is a very small quantity generator of hazardous waste. This means that we generate less than the following per any calendar month: (1) 100 kg or 220 lbs of hazardous waste, (2) 1 kg or 2.2 lbs of acute hazardous waste, and (3) 100 kg or 220 lbs of acute hazardous waste spill cleanup material; and accumulate less than the following at any time: (a) 1,000 kg or 2,205 lbs of hazardous waste, (b) 1 kg or 2.2 lbs of acute hazardous waste, and (c) 100 kg or 220 lbs of acute hazardous waste spill cleanup material. We intend to meet these generation and accumulation requirements in the future.
- ☐ 3. **SMALL QUANTITY GENERATOR**
This facility is a small quantity generator of hazardous waste. This means that we generate less than the following per any calendar month: (1) 1,000 kg or 2,205 lbs of hazardous waste, (2) 1 kg or 2.2 lbs of acute hazardous waste, and (3) 100 kg or 220 lbs of acute hazardous waste spill cleanup material; accumulate less than the following at any time: (a) 6,000 kg or 13,230 lbs of hazardous waste, (b) 1 kg or 2.2 lbs of acute hazardous waste, and (c) 100 kg or 220 lbs of acute hazardous waste spill cleanup material; and accumulate this waste in containers or above-ground tanks for less than 180 or 270 days (depends on distance waste is transported). We intend to meet these generation and accumulation requirements in the future.
- ☐ 4. **LARGE QUANTITY GENERATOR**
This facility is a large quantity generator of hazardous waste. This means that we generate more than the following per any calendar month: (1) 1,000 kg or 2,205 lbs of hazardous waste, (2) 1 kg or 2.2 lbs of acute hazardous waste, or (3) 100 kg or 220 lbs of acute hazardous waste spill cleanup material; and accumulate this waste in containers or aboveground tanks for less than 90 days. We intend to meet these generation and accumulation requirements in the future.
- ☐ 5. **TRANSPORTER**
This facility transports hazardous waste by air, rail, highway or water.
- ☐ 6. **TREATER/STORER/DISPOSER**
This facility treats, stores for greater than 90 days, and/or disposes of hazardous waste on-site.
- ☒ 7. **OTHER:** This facility is no longer a "Storage facility" - Generator Status remains as is
This category may be used for facilities involved with Waste-As-Fuel, Used Oil, etc. activities, Non-Regulated Installations (as indicated in columns 1 or 11-14 in the EPA Notification Printout), or other. Please explain.

C. CERTIFICATION:

The following certification must be signed by the owner or operator of the facility, or on behalf of the owner or operator, by an individual who meets the requirements of s. NR 181.55(3)(b) or s. NR 680.05(2)(b), Wis. Adm. Code.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted, is to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name of Owner and/or Operator (Print or type) Thomas Anders	Signature Thomas Anders	Date 1 July 92
Mailing Address (If different than above) 101 Pennsylvania St P.O. Box 650	Telephone Number (Include area code) (414) 793-5574	EXT 248
	City, State, Zip Code Sturgeon Bay WI 54235-0650	

Distribution: Copy 1 - District Copy 2 - HW-SW/3; Rtn to Dist after CMEL entry Copy 3 - HW-SW/3 Copy 4 - Area

LMD

DNR District

WID 096828975

EPA ID Number

STATE OF WISCONSIN
Department of Natural Resources
General Facility Standards Inspection Form
Treatment, Storage, and Disposal Facilities

Note: A separate inspection form must be completed for each treatment, storage, or disposal facility, even if more than one facility is owned by the same person or company unless the facilities are located on one contiguous parcel of land.

I. General Information

Corporate/Facility Name: PETERSON BUILDERS, INC

Facility Location:

Street: 107 EAST WALNUT

City & Zip: STURGEON BAY Town: _____ County: DOOR

Contact Person: TOM ANDERS Title: ENVIRONMENTAL AFFAIRS, MGR

Facility Mailing Address:

Street: P.O. Box 650

City: STURGEON BAY State: WI Zip Code: 54235-0650

Phone: 414-743-5574

Operator: _____ Title: _____

Street: _____

City: _____ State: _____ Zip Code: _____

Phone: _____

Legal Owner: E.L. PETERSON

Street: SAME

City: _____ State: _____ Zip Code: _____

Phone: SAME

Company Product/Main Process: SHIP BUILDING

DNR District Inspector: LEN POLCZINSKI Date: 3/17/92

II. General Facility Standards

A. Notification: (NR 630.11)

1. Has the facility submitted a notification form to the U.S. EPA with a copy to the Department and obtained an identification number?

[] []
Yes No

(Comments or Clarification)

B. General Waste Analysis: (NR 630.12)

Note: The TCLP checklist must be completed and sent to U.S. EPA Region V.

1. Is a detailed chemical and physical analysis of a representative sample of each waste obtained in order to treat, store or dispose of the waste properly? (NR 630.12(1))

[] []
Yes No

(Comments or Clarification)

2. Has the waste analysis been repeated after notification that the process or operation generating the hazardous waste was changed? (NR 630.12(3))

[] []
Yes No

(Comments or Clarification)

3. Is there a written waste analysis plan on file at the facility? (NR 630.13(1))

[] []
Yes No

(Comments or Clarification)

If the answer to #3, above, is yes, then answer question #4 entirely. If the answer to #3, above, is no, then a waste analysis plan must be developed and kept at the facility.

4. Does the written waste analysis plan contain:

- a. The parameters for each waste tested and the reason for selecting the parameters? (NR 630.13(1)(a))

[] []
Yes No

(Comments or Clarification)

- b. The test methods used for each parameter? (NR 630.13(1)(b))

[] []
Yes No

(Comments or Clarification)

LARGE QUANTITY GENERATOR INSPECTION FORM
HAZARDOUS WASTE MANAGEMENT PROGRAM
WISCONSIN DEPARTMENT OF NATURAL RESOURCES

RECEIVED

APR 8 1992

OFFICE OF RCRA
Waste Management Division
U.S. EPA, REGION V

I. GENERAL INFORMATION

DEPARTMENT INFORMATION:

WID 0061 39349

DNR District: LMDInspection date: 3/17/92DNR Inspector(s) Len Polczynski
CAROL SCHMIDTCorporate/Generator Name: PETERSON BUILDERS, INC PLANT 1

Generator Location:

Street: 101 PENNSYLVANIA STCity: STURGEON BAY County: DOOR Zip: 54235Site Personnel Present: DM ANDERS - RICH PROBSOM Title: ENV AFFAIRS MGR / ENV. ENG.

Generator Mailing Address:

Street: P.O. Box 650City: STURGEON BAY State: WI Zip: 54235-0650Phone: 414-743-5574 EXT. 450

Operator: _____ Title: _____

Phone: _____

Legal Owner: E.L. PETERSON Title: PRESIDENTStreet: SAME

City: _____ State: _____ Zip: _____

Phone: SAMECompany Product/Main Process: SHIP MANUFACTURING

SUMMARY TABLE

Waste Type	Generation Rate/Month	Hazardous Waste Code	LDR Status+	Exceeds Treatment Standards <u>Yes/No</u>	Waste Handling*
1) FREON	300 lbs/Mo	F002	1	YES	RECYCLING STILL ON-SITE
2) MINERAL SPIRITS	55 gals/Mo	D001	6	↓	SAFETY KLEIN 3
3) PBI SPECIAL SOLVENT	2,000 lbs/Mo	F003	1	↓	AUGANICS 3
4) Corrosive liquid	170 lbs/Mo	D002	6	↓	CLEAN HARBOR 3
5) METHYLENE CHLORIDE	825 lbs/Mo	F002	1	↓	AUGANICS 3
6)					
7)					
8)					

Attach waste profile, analysis, MSDS's, or other information to indicate how the facility complies with NR 615.06, Hazardous Waste Determination, for each waste stream.

+LDR Status - use the following codes:

- | | |
|--|------------------------------|
| 1. F001-F005 Solvents (NR 675.10) | 4. First 3rd (NR 675.13) |
| 2. F020-F023, F026-F028, Dioxins (NR 675.11) | 5. Second 3rd (NR 675.14) |
| 3. California list (NR 675.12) | 6. Third 3rd (40 CFR 268.12) |

*Waste handling - Indicate if the waste is handled on-site or provide name of off-site facility.

III. NOTIFICATION: NR 615.07

- | | | |
|----|---|---|
| 1. | Has the generator submitted a notification form to the Department and obtained an identification number? | Yes <input checked="" type="radio"/> No |
| 2. | a. Has the generator changed its ownership or added new hazardous waste activities? | Yes <input checked="" type="radio"/> No |
| | b. Has a subsequent notification form been completed? | |
| 3. | a. Has the generator changed its corporate name (no change in ownership, mailing address and/or waste codes)? | Yes <input checked="" type="radio"/> No |

- b. Has a letter to DNR and EPA or a subsequent notification form been completed?

Yes No N/A

Comments: _____

IV. WASTE STREAM INFORMATION

Note: Code citations denoted "40 CFR" refer to Title 40 of the Code of Federal Regulations - Protection of the Environment. Parts 260 through 272 contain the administrative rules pertaining to hazardous waste management, which are administered by the U.S. Environmental Protection Agency.

A. Waste Determination NR 605.12, NR 615.06, NR 675

1. Have all wastes been correctly identified, and if necessary, tested to obtain enough information to treat, store or dispose of the waste properly. (40 CFR Part 268) Yes No

If no, list below:

<u>Waste Type</u>	<u>Assigned Classification</u>	<u>Correct Classification</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

2. Have waste samples been analyzed by a laboratory certified or registered under Chapter NR 149, Wis. Adm. Code for all analyses performed? NR 605.12(1) Yes No

3. Have both the listed and characteristic waste code been assigned where a listed waste exhibits a characteristic? 40 CFR 268.9(a) Yes No NA

4. Has multi-source leachate been assigned the F039 waste code?* 40 CFR 261.31 Yes No NA

*Leachate derived exclusively from F020-F023 and/or F026-F028 dioxin wastes retains the individual waste codes.

If yes, was single-source leachate combined to form multi-source leachate? Yes No

5. If any process has changed that affected solid waste characteristics, has the generator made a new hazardous waste determination? Yes No N/A

Comments: _____

C. Treatability Group/Treatment Standard Identification

1. F001-5 Spent Solvent Wastes and F020-23 and F026-28 Dioxin Wastes: Does the generator correctly determine the appropriate treatability group/treatment standard for each waste?

(Yes) No N/A

If available, list each waste code and check correct treatability group.

<u>Waste Code</u>	<u>Wastewater*</u>	<u>Nonwastewater</u>
<u>F002</u>	<u> </u>	<u> </u> ✓
<u>F003</u>	<u> </u>	<u> </u> ✓
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

*Less than 1% TOC by weight and less than 1% total suspended solids (TSS) by weight. (40 CFR 268.2(f))

2. First, Second, and Third 3rd Wastes:

- a. Does the generator correctly determine the appropriate treatability group/treatment standard for each waste?

(Yes) No NA

If available, list each waste code and check correct treatability group.

<u>Waste Code</u>	<u>Subcategory</u>	<u>Wastewater</u>	<u>Nonwastewater</u>
<u>D001</u>	<u> </u>	<u> </u>	<u> </u> ✓
<u>D002</u>	<u> </u>	<u> </u>	<u> </u> ✓
<u> </u>	<u> </u>	<u> </u>	<u> </u>

- b. Do the assigned treatment standards for listed wastes cover constituents that may cause the waste to exhibit any characteristics? 40 CFR 268.9(b)

Yes No (NA)

- c. Does the generator specify alternative treatment standards for lab packs?

Yes No (NA)

If yes, do lab packs only contain the following wastes? 40 CFR 268.42(c)(2)

- Organometallics: 40 Part 268, Appendix IV constituents
— Organics: 40 CFR part 268, Appendix V constituents

- d. Does the generator specify alternative treatment standards for F039 multi-source leachate?

Yes No (NA)

3. California List Wastes: Has the generator correctly identified the treatability group and treatment standard/prohibition level for the following wastes? (NR 675.20-24)

a. Liquid hazardous wastes containing PCBs - ≥ 50 ppm Yes No

NA

If yes, check the appropriate treatability group:

_____ 50 to 500 ppm PCBs _____ ≥ 500 ppm PCBs

b. Listed or characteristic wastes containing $\geq 1,000$ mg/l (liquids) or mg/kg (non-liquids) HOCs, which are not listed or characterized by the HOC content. Yes No

NA

If yes, check the appropriate treatability group:

_____ Dilute HOC wastewater (1,000 mg/l to 10,000 mg/l HOCs)

_____ All other hocs greater than or equal to the prohibition level of 1,000 mg/l (liquids or mg/kg (non-liquids))

c. Liquid hazardous wastes that exhibit a characteristic and also contain ≥ 134 mg/l nickel and/or ≥ 130 mg/l thallium. Yes No

NA

4. Treatment standards expressed as required technologies: Has the generator specified an alternative method to that required in NR 675.22? Yes No

NA

If yes, list the waste code, the technology specified in NR 675.22, the alternative method, and documentation of approval. NR 675.22(2)

Waste Code	Required Technology	Alternative Method	Approval
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

5. Does the generator mix restricted wastes with different treatment standards for a constituent of concern? Yes No

NA

If yes, did the generator select the most stringent treatment standards? (NR 675.21(2) and NR 675.23(2)) Yes No

Comments:

Waste Analysis

1. Does the generator determine whether restricted wastes exceed treatment standards/prohibition levels at the point of generation? NR 675.07(1) ☒ Yes No

If no, does the generator ship all restricted wastes as not meeting treatment standards? Yes No

2. Which of the following analytical methods does the generator employ?

- a. Knowledge of waste: Yes No

If yes, list the wastes for which applied knowledge was used and describe the basis of determination. Attach documentation. NR 675.07(1)(d)

- b. TCLP: Are wastes with treatment standards specified in NR 675.21 and 40 CFR 268.41 analyzed using TCLP? ☒ Yes No NA
BDAT = stabilization/immobilization technology.

If yes, list the wastes for which TCLP was used and provide the date of last test, the frequency of testing, and note any problems. Attach test results. NR 675.07(1)(d) and 40 CFR 268.7(a)(5).

D001, D002, F002, F003

- c. Total constituent analysis: Are wastes with treatment standards specified in NR 675.23 and 40 CFR 268.43 analyzed using total constituent analysis? Yes No ☒ NA
(BDAT = destruction/removal technology)

If yes, list the wastes for which total constituent analysis was used and provide the date of last test, the frequency of testing, and note any problems. Attach test results. NR 275.07(1)(e) and 40 CFR 268.7(a)(5)

- d. PFLT*: Was PFLT used to determine if California List constituents were contained in liquid hazardous waste? Yes No ☒ NA

*PFLT = Paint filter liquids Test [Test Method 9095, EPA Publication No. SW-846]

If yes, list the wastes for which PFLT was used and provide the date of last test, the frequency of testing, and note any problems. Attach test results. NR 675.07(1)(e)

3. Dilution Prohibition NR 675.06:

- a. Does the generator mix prohibited wastes with different treatment standards? Yes No ☒ NA

List the wastes _____

Are the wastes amenable to the same type of treatment? Yes No

- b. Does the generator dilute prohibited wastes to meet the treatment standard criteria, or render them nonhazardous? Yes ☒ No

If no, go to c.

Check appropriate category:

- ___ Dilutes to meet treatment standards
___ Dilutes to render waste nonhazardous

Do the wastes fall into the following categories?
(Check if appropriate.)

- ___ Managed in treatment systems regulated under the Chapter 147, Wis. Stats.
___ Nontoxic* characteristic wastes
___ Treatment standard specified in NR 275.21 or NR 275.23

*Nontoxic - D001 (except high TOC nonwastewaters),
D002, and D003 (except cyanides and sulfides)

If the wastes do not fall into the above categories,
briefly describe the conditions under which they were
diluted.

- c. Based on an assessment of points a and b, and any
other relevant circumstances, does the generator
dilute prohibited wastes as a substitute for adequate
treatment? 40 CFR 268.3(a)

Yes ☒ No

Comments: _____

4. F039 Multi-source leachate: Has the generator run an
initial analysis for all constituents of concern in 40 CFR
268.41 and 268.43?

Yes No

☒ NA

V. ON-SITE MANAGEMENT

- A If the generator treats characteristic wastes in systems
regulated under Chapter 147, Wis. Stats., have the following been
documented: the determination of restriction, how restricted
wastes are managed, and why wastes discharged pursuant to an
WPDES permit are not prohibited (if applicable)?

Yes No

☒ NA

- B. If the generator treats characteristic wastes in RCRA exempt
units to render them nonhazardous, are the wastes managed as
restricted until 40 CFR 268 treatment standards are met?* 40 CFR
268.9(d)

Yes No

☒ NA

**This applies to both concentration based treatment standards
specified in 40 CFR 268.41 and 268.43, and to some 40 CFR 268.42
required methods which result in treatment below the
characteristic level. See Appendix D of the U.S. EPA land
disposal restrictions package. (Third 3rd)*

C. Treatment Using NR 630 Exempt Units or Processes

1. Are restricted wastes treated in NR 630 exempt units (i.e., boilers, furnaces, distillation units, wastewater treatment tanks, elementary neutralization, etc.)?

☒ Yes ☐ No PLANT 2 Was Still

If no, do not complete this section.

Waste Type	Waste Code	Type of Treatment	Treatment Units and Process
XXXXXX	XXXXXX	XXXXXX	XXXXXX
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

2. Are treatment residuals generated from these units? Yes No ☒ NA

3. Are residuals further treated, stored for greater than 90/180 days, or disposed on site? Yes No ☒ NA

If yes, the generator is also is a TSD

VI. OFF-SITE MANAGEMENT AND MANIFEST REQUIREMENTS

A. Manifest Requirements: NR 615.08, 615.09, 615.11(2), 615.12 & 615.13

1. Does the generator initiate a uniform manifest form with all off-site shipments of hazardous waste? NR 615.08(10)
2. Are copies of all manifests for the past 3 years retained by the generator and available for review? NR 615.08(7) ☒ Yes No
3. Does the manifest specify a designated facility which is approved (if in Wisconsin has an operating license, interim license, variance, waiver, or is exempt from licensing; or if outside of Wisconsin has an EPA permit, interim status, or is exempt from permitting under RCRA; or has a permit or approval from an authorized state) to take the waste? NR 615.08(3)
4. Are procedures for exception reporting followed properly, if an exception has occurred? NR 615.11(2) Yes No ☒ NA
5. Does the generator properly route manifest copies to the Department and the consignment state (if waste was shipped out of state)? NR 615.08(6), (9) & (10) ☒ Yes No
6. Are the manifests properly completed? NR 615.08(8)(a)-(1) ☒ Yes No

Comments: _____

7. If verifiable, is waste packaged marked and labeled in accordance with DOT regulations concerning hazardous materials? NR 615.08(8)(f), NR 615.09(1) and (3) ☒ Yes ☐ No NA

B. Off-Site Management: Waste Exceeds Treatment Standards

1. Does the generator ship any waste that exceeds treatment standards/prohibition levels to an off-site treatment or storage facility? ☒ Yes ☐ No

If no, go to C.

2. Does the generator provide a notification to the treatment or storage facility with each waste shipment? NR ☒ Yes ☐ No

3. If the generator specifies alternative treatment standards for lab packs, is the certification required in 40 CFR 268.7(a)(7) or (8) included with the notification for each shipment? Yes No ☒ NA

C. Off-Site Management: Waste Meets Treatment Standards

1. Does the generator ship waste that meets treatment standards/prohibition levels to an off-site disposal facility? Yes ☒ No
2. Does the generator provide a notification and a certification to the disposal facility with each waste shipment? NR 675.07(1)(b) Yes No
3. Are characteristic wastes which have been rendered nonhazardous (in a RCRA exempt unit) shipped to a Subtitle D facility? Yes ☒ No

D. Records Retention:

1. Does the generator retain on site copies of all notifications, certification, and other relevant documents for a period of 5 years? NR 675.07(1)(e) ☒ Yes ☐ No
2. Do LDR documents reflect proper management of wastes previously covered under expired national capacity variances, case-by-case extensions and the soft hammer provisions? Yes No ☒ NA

Note: See summary table on page 2, (treatment standards column).

II ANNUAL REPORTING NR 615.11(1)

1. Have Annual reports covering generator activities during the previous calendar years been submitted?

☒ Yes ☐ No

Comments: _____

VIII. CONTINGENCY PLAN AND SAFETY REQUIREMENTS NR 615.05(4)(a)5 and NR 630.22

- A. Does the generator have a written contingency plan addressing potential discharge of hazardous waste or hazardous waste constituents to air, land, groundwater, or surface water? (NR 630.22(1)(a))

☒ Yes ☐ No

Note: If the answer is yes, then answer the following questions below. If the answer is no, go to F.

- B. Is the contingency plan and all revisions kept by the generator and have they been filed with the Department and been sent to all local police and fire departments, hospitals and emergency response teams who may be called to provide emergency services? NR 630.22(1)(b)

☒ Yes ☐ No

- C. Does the plan identify an Emergency Coordinator (including name, position, home address, home and business phone) who is present or on call when the generator is not in operation and available to respond to an emergency by reaching the site in a short period of time? NR 630.22(1)(e)1

☒ Yes ☐ No

- D. Does the Emergency Coordinator have the authority and training necessary in the event of an emergency? NR 630.22(1)(d)

☒ Yes ☐ No

- E. Does the plan contain the following:

1. A description of the site layout, types of waste handled and their associated hazards, places where site personnel normally work, and entrances to and roads inside the site? NR 630.22(1)(e)2

☒ Yes ☐ No

2. An evacuation plan for the site personnel, including signal(s) to be used to begin evacuation, evacuation roads, and alternative routes?

☒ Yes ☐ No

3. Procedures for emergency shutdown of operations, and the actions personnel must take to comply with NR 630.22(1)(a) in response to an emergency including, as appropriate, procedures to:

- a) Activate internal alarms or communication systems to notify all personnel of an imminent or actual emergency situation, where applicable? NR 630.22(2)(a)1. ☒ Yes No NA
- b) Telephone the Division of Emergency Government at 608/266-3232 and comply with the requirements of s. 144.76, Stats., and Chapter NR 158, Wis. Adm. Code? NR 630.22(2)(a)2 ☒ Yes No NA
- c) Immediately identify the character, source, amount, and areal extent of any discharged materials? NR 630.22(2)(a)3 ☒ Yes No NA
- d) Assess possible hazards to human health or the environment that may result from discharge, fire, or explosion? NR 630.22(2)(a)4 ☒ Yes No NA
- e) Immediately notify appropriate local authorities, if an assessment indicates that a discharge, fire, or explosion could threaten human health or the environment outside the site, and that evacuation of local areas may be advisable? NR 630.22(2)(a)5. ☒ Yes No NA
- f) Take all reasonable measures necessary to ensure that fires, explosions, and discharges do not occur, reoccur, or spread to other hazardous waste at the site? NR 630.22(2)(a)6 ☒ Yes No NA
- g) Monitor for leaks, pressure buildup, gas generation, or ruptures in valves, pipes or other equipment, where appropriate, if the generator stops operation in response to a fire, explosion, or discharge? NR 630.22(2)(a)7 ☒ Yes No NA
- h) Provide for treating, storing or disposing of recovered waste, contaminated soil or surface water, or any other material that results from a discharge, fire, or explosion at the facility, immediately after an emergency? NR 630.22(2)(a)8 ☒ Yes No NA
- i) Ensure that, in the affected areas of the site, no waste that may be incompatible with the discharged materials is treated, stored, or disposed of until cleanup procedures are completed; and all emergency equipment listed in the contingency plan is clean and fit for its intended use before operations are resumed? ☒ Yes No

- j) Procedures to be used to notify local police and fire departments, hospitals and emergency response teams of a discharge of hazardous waste or a fire or explosion at the site? NR 630.22(1)(e)5 ☒ Yes No
- k) Notify the Department and appropriate local authorities before operations are resumed? NR 630.22(2)(b) ☒ Yes No NA
- l) An up-to-date list of all emergency equipment at the site, including the location, physical description and a brief outline of its capabilities for each item? NR 630.22(1)(e)6 ☒ Yes No

F. Does the contingency plan need to be amended due to changes? NR 630.22(1)(c)1-5 Yes ☒ No

Comments: _____

G. Personnel Training/Records: NR 615.05(4)(a)5 & 630.16 ☒ Yes No

1. Does the generator have a program of classroom instruction of on-the-job training for personnel in hazardous waste management procedures? NR 630.16(1)

If the answer is no, then a training program must be developed, go to I.

If the answer is yes, then answer the following questions, #2-5 below:

2. Does this program include training of personnel in Contingency Plan implementation? NR 630.16(1)(a) ☒ Yes No

3. Do personnel take part in an annual review of initial training? NR 630.16(3) ☒ Yes No

4. Are records of personnel training maintained by the generator? NR 630.16(4) ☒ Yes No

If the answer is no, then these records must be developed and maintained by the generator.

If the answer is yes, then answer the following questions.

5. Which of the following items are included in the personnel training records? NR 630.16(4)(a)-(d)

- a. Job titles and the name of the employee filling each job? ☒ Yes No

- b. Job descriptions? Yes ☒ No

- c. Description of training required for each position? ☒ Yes No
- d. Written documentation that training or job experience has been given and completed? Yes No
6. Are training records of current personnel must be kept until closure. Training records of former employees must be kept for at least 3 years from the date the employee last worked at the site. NR 630.16(5) ☒ Yes No

Comments: _____

H. Preparedness and Prevention: NR 630.21

1. Does the generator have the following equipment, as applicable for the type of waste managed? NR 630.21(2)
- a. Internal communication systems? ☒ Yes No NA
- b. A device to summon emergency assistance, such as a telephone or a 2-way radio? ☒ Yes No NA
- c. Portable fire extinguishes? ☒ Yes No NA
- d. Fire control equipment, including special extinguishing equipment and extinguishing agents? ☒ Yes No NA
- e. Spill control equipment? ☒ Yes No NA
- f. Decontamination equipment? ☒ Yes No NA
2. Is all of the equipment mentioned in #1 tested and maintained as required to assure its proper operation in an emergency? ☒ Yes No NA
3. Is adequate aisle space provided throughout the hazardous waste site to allow unobstructed movement of personnel and all emergency equipment mentioned in #1 above NR 63021(5) ☒ Yes No NA

Comments: _____

I. Other Requirements

1. Does the generator have spill containment tanks? Yes ☒ No

If the answer is yes, then complete the appropriate attachment.

2. Does the generator combine absorbent material with waste generated on site?

☒ Yes No

If the answer is yes, complete Attachment 10.

J. 90-Day Container Accumulation: NR 615.05(4)(a) & 615.09(2)(a)

NOTE: Containers and tanks are the only means allowed to store large quantities of hazardous waste and be eligible for the 90-day exemption. Any other means of storage, such as waste piles, require an interim or operating storage license/variance. (See the definitions of container, tank and pile in NR 600.03). If waste is stored in tanks, complete attachment 2.

☒ Yes No

1. Does this generator accumulate hazardous waste in containers?

If no, skip this section.
If yes, continue below.

2. Are the containers marked with the date on which hazardous waste was first placed in the container for accumulation?
NR 615.05(4)(a)4

☒ Yes No

3. Are containers marked with the words "Hazardous Waste" before placing them in an accumulation area or on-site storage area? NR 615.09(2)(a)

☒ Yes No

4. Is the hazardous waste removed from the site before the end of the 90-day accumulation period or treated, stored or disposed of in an approved on-site hazardous waste facility or on-site recycling facility? NR 615.05(4)(a)1.a. or b.

☒ Yes No

5. Are all the containers which are used to store or treat hazardous waste in good condition? 615.05(4)(a)2.d.

☒ Yes No

6. Are containers stored closed, except when it is necessary to add or remove waste? NR 615.05(4)(a)2.e.

☒ Yes No

7. Are containers opened, handled and stored in such a way as to prevent leaks or ruptures? 615.05(4)(a)2.f

☒ Yes No

8. Are containers inspected weekly for leaks and defects?
NR 615.05(4)(a)2.b

☒ Yes No

9. Are the weekly inspections recorded into an inspection log or summary, which includes the date and the time of inspection, the name of the inspector, a notation of the observations made, and the date and nature of any repairs or other remedial actions? NR 615.05(4)(a)2.c.

☒ Yes No

10. Are records be kept for at least 3 years from date of inspection? NR 615.05(4)(a)2.c.

☒ Yes No

11. If the generator stores ignitable or reactive waste, are the containers at least 50 feet (15 meters) from the property line? NR 615.05(4)(a)2.g. ☒ Yes No NA
12. Are incompatible wastes stored in separate containers? NR 615.05(4)(a)2.i. ☒ Yes No NA
13. Are containers of incompatible waste separated or protected from each other by physical barriers such as a berm, dike, wall or sufficient distance? NR 615.05(4)(a)2.h. ☒ Yes No NA

Comments: _____

K. Satellite Accumulation NR 615.05(4)(c)

1. Does this generator accumulate waste at or near the generation point? ☒ Yes No
- If no, skip this section.*
If yes, continue below.
- a. Is the container in good condition? NR 615.05(4)(c)1. ☒ Yes No
- b. Is the container always closed except when it is necessary to add or remove waste? NR 615.05(4)(c)2. ☒ Yes No
- c. Is the container lined or compatible with the waste being accumulated? NR 615.05(4)(c)4. ☒ Yes No
- d. Is the container marked with words "Hazardous Waste" or with other words that correctly identify the contents of the container? NR 615.05(4)(c)5. ☒ Yes No
- e. Have 55 gallons or less of hazardous waste accumulated at or near the generation point? NR 615.05(4)(c)6. Yes ☒ No NA
- f. Has one quart or less of acutely hazardous waste listed in section NR 605.09(2)(a), Table II, or (3)(b), Table IV, accumulated at or near the generation point? NR 615.05(4)(c)6. Yes No ☒ NA

If the answer to either e or f is yes, then the facility must comply with applicable generator requirements.

STATUS EVALUATIONA. Classification Based on District Verification: LOG

Note: If the inspection-verified classification is different from the current notification status, a status change form (Form 4430-12) should be completed and attached.

Signature: Len Polyz Date: 3/17/92

This generator is also subject to regulation as a:

- N/A Treatment Facility
N/A Exempt Treatment Facility (specify) _____
N/A Transfer Facility
N/A Storage Facility
N/A Exempt Storage Facility (specify) _____
N/A Disposal Facility
X Transporter



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

Lake Michigan District Headquarters
1125 N. Military Avenue
P.O. Box 10448
Green Bay, WI 54307-0448
TELEPHONE # (414)492-5800
TELEFAX # (414)492-5913

March 23, 1992

File Ref:

Mr. Tom Anders, Environmental Affairs Manager
Peterson Builders, Inc.
P.O. Box 650
Sturgeon Bay, WI 54235-0650

Subject: March 17th, 1992 Hazardous Waste Inspection at Peterson Builders,
Inc. (PBI) Plant 1 EPA I.D. #WID006139349

Dear Mr. Anders:

This letter is to formally follow-up on the Department's March 17, 1992 hazardous waste inspection of PBI's Plant 1. A copy of the inspection form is enclosed for your files.

On the basis of the inspection, I found no evidence of violations with Chapter NR 615 Wis. Adm. Code (Generator), NR 675 (Land Disposal Restrictions) and 40 CFR 268.41 (TCLP) requirements. The Department's overall impression was that PBI's management of hazardous waste is on track and has improved since the Department's last inspection in February of 1991.

You will receive separate correspondence that addresses the inspection at Plant II and the review of the closure documentation of PBI's former hazardous waste storage facility.

Please give me a call at 414-492-5870 if you have any questions or the need for technical assistance.

Sincerely,
Len Polczynski
Len Polczynski

Enclosure

cc: Carol Schmidt
HW-3
Rick Propsom - PBI

APR 05 1991

5HR-12

Rich Propsom, Environmental Engineer
Peterson Builders, Inc.
101 Pennsylvania Street
Sturgeon Bay, Wisconsin 54235

Re: Land Disposal Restrictions
Peterson Builders, Inc.
WID 980 898 399
WID 096 828 975

Dear Mr. Propsom:

On February 25, 1991, the Wisconsin Department of Natural Resources (WDNR), representing the U.S. Environmental Protection Agency, conducted Resource Conservation and Recovery Act (RCRA) inspections of the above-referenced facilities. The purpose of these inspections was to determine the facilities' compliance with the applicable hazardous waste management requirements of RCRA, including the Federal land disposal restrictions. The land disposal restrictions for F001-F005 spent solvents and dioxin-containing wastes became effective on November 8, 1986; "California List" wastes on July 8, 1987; First Third wastes on August 8, 1988; Second Third wastes on June 8, 1989; and Third Third wastes on May 8, 1990 (40 CFR Part 268 and revisions to 40 CFR Parts 260-265 and 270-271).

With respect to the land disposal restrictions section of the inspection, your facilities were found to be in compliance with the requirements. A copy of the inspection report is enclosed for your records.

If you have any questions regarding this correspondence, please contact Ms. Margaret Rader of my staff at (312) 353-7925.

Sincerely yours,

Paul E. Dimock, Chief
IL/MI/WI Enforcement Program Section

Enclosure

cc: Barbara Zellmer, WDNR
Ed Lynch, WDNR
Len Polczinski, WDNR

5HR-12:M.RADER:ev:4-04-91:FILENAME:propsom

SIGNATURE/INITIAL CONCURRENCE REQUESTED - RCRA ENFORCEMENT BRANCH (REB)									
TYP.	AUTH	IL/IN TES CHIEF	MI/WI TES CHIEF	MN/OH TES CHIEF	IL/MI/WI EPS CHIEF	IN/MN/OH EPS CHIEF	REB BRANCH CHIEF	RCRA ASSOC. DIR.	WMD DIVISION DIRECTOR
GW 4-5-91	MR 4-5-91				PSN 4-5-91				

**LAND DISPOSAL RESTRICTIONS
INSPECTION PACKAGE**

CHECKLISTS:

- I. GENERAL INFORMATION**
- II. WASTE IDENTIFICATION**
- III. GENERATOR REQUIREMENTS**
- IV. TSD REQUIREMENTS**
- V. TRANSPORTER REQUIREMENTS**

RECEIVED
MAR 23 1991

OFFICE OF RCRA
Waste Management Division
U.S. EPA, REGION V

REFERENCE APPENDICES:

- APPENDIX A TREATMENT STANDARDS AND BEST
DEMONSTRATED AVAILABLE
TECHNOLOGIES**
- APPENDIX B EFFECTIVE DATE SUMMARY**
- APPENDIX C REQUIRED WASTE ANALYSES**
- APPENDIX D TREATMENT STANDARDS BELOW THE
CHARACTERISTIC LEVEL**
- APPENDIX E PROHIBITED VERSUS RESTRICTED WASTES**
- APPENDIX F LDR REGULATIONS UPDATE - THIRD
THIRD RULE**

RCRA LAND DISPOSAL RESTRICTIONS INSPECTION

I. General Information

Facility: PETERSON BUILDERS, INC.
 U.S. EPA ID No.: WI0096828975
 Street: 101 Pennsylvania St
 City: Sturgeon Bay State: WI Zip: 54235-0650
 Telephone: 414-743-5574

Inspection Date: 2/25/91 Time: 09:45 (am/pm)

Weather Conditions: _____

	<u>Name</u>	<u>Agency/Title</u>	<u>Telephone</u>
Inspectors:	<u>LEN POLCZINSKI</u>	<u>WI DNR - H.W. SPECIALIST</u>	<u>414-492-5870</u>

Facility Representatives:	<u>DON JOHNSTON</u>	<u>PETERSON BUILDERS</u>	<u>414-743-5574</u>
	<u>RICK PROSSER</u>	<u>" "</u>	<u>" "</u>

See Appendix B to determine which of the following LDR waste categories the facility manages:

	<u>Generate</u>	<u>Transport</u>	<u>Treat</u>	<u>Store</u>	<u>Dispose</u>
F001-F005 Solvents	<u>X</u>	_____	_____	<u>X</u>	_____
F020-F023 and F026-F028	_____	_____	_____	_____	_____
California List *	_____	_____	_____	_____	_____
First Third [40 CFR 268.10]	_____	_____	_____	_____	_____
Second Third [40 CFR 268.11]	_____	_____	_____	_____	_____
Third Third [40 CFR 268.12]	<u>X</u>	_____	_____	<u>X</u>	_____

* See Appendix A

RCRA LAND DISPOSAL RESTRICTIONS INSPECTION

II. WASTE IDENTIFICATION

A. List waste codes which the facility handles in each of the following LDR categories*:

1. F001 through F005 spent solvents:

FOO2, FOO3, FOO5

2. F020-F023 and F026-F028 dioxin-containing wastes:

3. California List Wastes (See Appendix A):

4. First Third Wastes [40 CFR 268.10]:

5. Second Third Wastes [40 CFR 268.11]:

6. Third Third Wastes [40 CFR 268.12]**:

D001 D002

*See Appendix B.

*Note: Effective 09/25/90, large quantity generators and TSDs are required to use the toxicity characteristic leaching procedure (TCLP) instead of the extraction procedure (EP) for determining the toxicity characteristic (TC). Small quantity generators must comply with this new requirement by 03/29/91. Wastes which exhibit TC, but do not exhibit EP, will be considered "newly identified" wastes. They will be regulated under 40 CFR part 268 only after they are evaluated by U.S. EPA, even if they are characteristic for a constituent previously covered under the EP toxicity characteristic [55 FR 22531].

B. Waste Code Determination

1. Have all wastes been correctly identified for purposes of compliance with 40 CFR Part 268?*

Yes X No

If no, list below:

Assigned Classification

Correct Classification

*Areas of concern include: California List/waste categories with more stringent treatment standards; listed/characteristic; multi-source/single-source leachate; P and U waste codes/F and K wastes; and waste code carry through principle.

Comments:

6. Soil and debris contaminated with wastes that had treatment standards set in the Third Third rule based on incineration, mercury retorting, or vitrification. See Appendix A; (expires - 05/08/92). [40 CFR 268.35(e)]
Yes ☐ No ☒ List _____
7. The following nonwastewaters - F039, K031, K084, K101, K102, K106, P010, P011, P012, P036, P038, P065, P087, P092, U136, U151. (expires -05/08/92). [40 CFR 268.35(c)]
Yes ☐ No ☒ List _____
8. The following wastes identified as hazardous based on a characteristic alone: D004 (nonwastewaters), D008 (lead materials stored before secondary smelting), D009 (nonwastewaters) (expires - 05/08/92). [40 CFR 268.35(c)]
Yes ☐ No ☒ List _____
9. Inorganic solid debris as defined in 40 CFR 268.2(g)*; includes chromium refractory bricks carrying EPA Hazardous Waste Nos. K048-K052 (expires - 05/08/92). [40 CFR 268.35(c)]
Yes ☐ No ☒ List _____
- *Note: Incorrect reference [40 CFR 268.2(a)(7)] in Third Third rule.
10. RCRA hazardous wastes that contain naturally occurring radioactive materials (expires - 05/08/92). [40 CFR 268.35(c)]
Yes ☐ No ☒ List _____
11. Wastes listed in 40 CFR 268.10, 268.11, and 268.12 that are mixed radioactive/hazardous wastes (expires - 05/08/92)*. [40 CFR 268.35(d)]
Yes ☐ No ☒ List _____

*Note: 40 CFR 268.10 and 268.11 wastes incorrectly omitted from this variance in the Third Third rule.

If available, list each waste code and check the correct treatability group:

Waste Code	Subcategory	Wastewater*	Nonwastewater
<u>D001</u>	_____	_____	<u>1</u>
<u>D002</u>	_____	_____	_____
_____	_____	_____	_____

* Less than 1% TOC by weight and less than 1% total suspended solids (TSS) with the following exceptions: K011, K013, and K014 wastewaters - less than 5% by weight TOC and less than 1% by weight TSS; K103 and K104 wastewaters - less than 4% by weight TOC and less than 1% by weight TSS. [40 CFR 268.2(f)(2) and (3)]

Comments _____

- b. Do the assigned treatment standards for listed wastes cover constituents that may cause the waste to exhibit any characteristics? [40 CFR 268.9 (b)]

Yes ___ No ___ NA X

- c. Does the generator specify alternative treatment standards for lab packs?*

Yes ___ No ___ NA X

*Use of the alternative treatment standards is not required. [55 FR 22629]

If yes, do lab packs only contain the following wastes?* [40 CFR 268.42(c)(2)]

___ Organometallics: 40 Part 268, Appendix IV constituents
___ Organics: 40 CFR Part 268, Appendix V constituents

*Unregulated wastes and hazardous wastes which meet treatment standards may be commingled in the appropriate Appendix IV and V lab pack. [55 FR 22629]

- d. Does the generator specify alternative treatment standards for F039 multi-source leachate?*

Yes ___ No ___ NA X

*Use of the alternative treatment standards is required. [55 FR 22619]

4. California List Wastes: Has the generator correctly identified the treatability group and treatment standard/prohibition level for the following wastes? [55 FR 22675]

- a. Liquid hazardous wastes containing PCBs ≥ 50 ppm

Yes ___ No ___ NA X

If yes, check the appropriate treatability group:

___ 50 to 500 ppm PCBs
___ ≥ 500 ppm PCBs

7. Does the generator mix restricted wastes with different treatment standards for a constituent of concern?

Yes ☐ No ☒

If yes, did the generator select the most stringent treatment standards?
[40 CFR 268.41(b) and 268.43(b)]

Yes ☐ No ☐

Comments _____

B. Waste Analysis

1. Does the generator determine whether restricted wastes exceed treatment standards/prohibition levels at the point of generation?* [268.7(a)]

Yes ☒ No ☐

*Note: This determination may be made at the point of disposal if the waste only has a prohibition level in effect.

If no, does the generator ship all restricted wastes as not meeting treatment standards?

Yes ☐ No ☐

Comments _____

2. Which of the following analytical methods does the generator employ?*

*Note: A "No" answer to applicable questions b. through d. does not necessarily constitute a violation. However, knowledge of waste is rarely adequate if a generator certifies that treatment standard criteria have been met.

- a. Knowledge of waste:

Yes ☒ No ☐

If yes, list the wastes for which applied knowledge was used and describe the basis of determination. Attach documentation. [40 CFR 268.7(a)(5)]

- b. TCLP*: Are wastes with treatment standards specified in 40 CFR 268.41 analyzed using TCLP?** (BDAT*** = stabilization/immobilization technology)

Yes ☒ No ☐ NA ☐

*TCLP = Toxicity Characteristic Leaching Procedure [40 CFR Part 268, Appendix I, EPA Test Method 1311]

**See Appendix C for exceptions.

***BDAT = best demonstrated available technology. See Appendix A.

Has the plan been filed with the Regional Administrator (return receipt, Federal Express slip, etc. required for verification)? [40 CFR 268.7(a)(4)(ii)]

Yes ___ No ___

Comments _____

4. Dilution Prohibition [40 CFR 268.3]:

- a. Does the generator mix prohibited* wastes with different treatment standards?

*See Appendix E for distinction between restricted and prohibited wastes.

Yes ___ No X (If No, go to b.)

List the wastes _____

Are the wastes amenable to the same type of treatment? [55 FR 22666]

Yes ___ No ___

Comments _____

- b. Does the generator dilute prohibited wastes to meet treatment standard criteria, or render them non-hazardous? [55 FR 22665-22666]

Yes ___ No X (If No, go to c.)

Check appropriate category:

- ☐ Dilutes to meet treatment standards
☐ Dilutes to render waste non-hazardous

Do the wastes fall into the following categories? (Check if appropriate.) [40 CFR 268.3(b)]

- ☐ Managed in treatment systems regulated under the Clean Water Act
☐ Non-toxic* characteristic wastes
☐ Treatment standard specified in 40 CFR 268.41 or 268.43

*Non-toxic = D001(except high TOC nonwastewaters), D002, and D003(except cyanides and sulfides). [55 FR 22666]

If the wastes do not fall into the above categories, briefly describe the conditions under which they were diluted.

- c. Based on an assessment of points a. and b., and any other relevant circumstances, does the generator dilute prohibited wastes as a substitute for adequate treatment? [40 CFR 268.3(a)]

Yes ___ No X

Comments _____

Does the generator provide a notification to the treatment or storage facility?
[40 CFR 268.7(a)(1)]

Yes ☐ No ☒ (If No, go to 3.)

If the generator specifies alternative treatment standards for lab packs, is the certification required in 40 CFR 268.7(a)(7) or (8) included with the notification?

Yes ☐ No ☐ NA ☐

b. Is a notification sent with each waste shipment?

Yes ☐ No ☐

If no, is the waste subject to a tolling agreement pursuant to 262.20(e) (small quantity generator only)?

Yes ☐ No ☐ (If No, go to 3.)

List waste codes and subsequent handler with whom a contractual tolling agreement is held.

<u>Waste Code</u>	<u>Subsequent Handler</u>
_____	_____
_____	_____
_____	_____

Did the small quantity generator provide a notification to the receiving facility with the first waste shipment subject to the tolling agreement? [40 CFR 268.7(a)(9)]

Yes ☐ No ☐

3. Off-Site Management: Waste Meets Treatment Standards

a. Does the generator ship waste that meets treatment standards/prohibition levels to an off-site disposal facility?

Yes ☐ No ☒ (If No, go to 4.)

Identify waste code(s) and off-site disposal facilities:

<u>Waste Code</u>	<u>Receiving Facility</u>
_____	_____
_____	_____
_____	_____

Does the generator provide a notification and a certification to the disposal facility? [40 CFR 268.7(a)(2)(i) and 268.7(a)(2)(ii)]?

Yes ☐ No ☐ (If No, go to d.)

Does the generator provide notification to the off-site receiving facility that the waste is not prohibited from land disposal? [40 CFR 268.7(a)(3)]

Yes ☐ No ☐

b. Is a notification sent with each waste shipment?

Yes ☐ No ☐

If no, is the waste subject to a tolling agreement pursuant to 40 CFR 262.20(e) (small quantity generator only)?

Yes ☐ No ☐ (If No, go to 5.)

List waste codes and subsequent handler with whom a contractual tolling agreement is held.

Waste Code	Subsequent Handler
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

Did the small quantity generator provide a notification to the receiving facility with the first waste shipment subject to the tolling agreement? [40 CFR 268.7(a)(9)]

Yes ☐ No ☐

5. Records Retention

Does the generator retain on site copies of all notifications, certifications, and other relevant documents for a period of 5 years? [40 CFR 268.7(a)(6)]

Yes ☒ No ☐

Are copies of relevant tolling agreements, along with the LDR notification and/or certification, kept on site for at least 3 years after expiration or termination of the agreement? [40 CFR 268.9]

Yes ☐ No ☐ NA ☒

Do LDR documents reflect proper management of wastes previously covered under expired national capacity variances, case by case extensions and the soft hammer provision*?

Yes ☐ No ☐ NA ☒

*See Appendix B. Note that the soft hammer provision expired as of 05/08/90. Soft hammer wastes which had treatment standards established in the Third Third rule were granted a minimum 90-day national capacity variance to 08/08/90.

Comments _____

RCRA LAND DISPOSAL RESTRICTION INSPECTION

IV. TSD REQUIREMENTS

A. Waste Analysis [40 CFR 268.7(b), 264.13, and 265.13]

1. Does the waste analysis plan address the following LDR waste categories?
[40 CFR 264.13(b)(6) and 265.13(b)(6)]

F001-F005 Spent Solvents	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
F020-F023 and F026-F028 Dioxins	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
California List Wastes	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
First, Second, and Third Third Wastes	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>

Comments _____

2. Has the waste analysis plan been revised to address F039 multi-source leachate?

Yes ☐ No ☐ NA ☒

3. What date was the waste analysis plan last revised? ___/___/___ *Currently Being Revised*

4. Does analytical data contain all the information required to treat, store, or dispose of restricted wastes? [40 CFR 264.13(a)(1) and 265.13(a)(1)]

FORMER PLAN DID
Yes ☒ No ☐

If yes, which of the following are sources of analytical data? (More than one may apply.):

☐ Generator provides data
☐ Facility performs analyses in on-site laboratory
☒ Facility contracts analyses at off-site laboratory

If the generator provides data, does the facility provide corroborative testing? [40 CFR 264.13(a)(2) and 265.13(a)(2)]

Yes ☐ No ☐ NA ☒

If analyses are conducted off site, identify lab: ENVIRONIS

- a. Are wastes with treatment standards specified in 40 CFR 268.41 analyzed using the toxicity characteristic leaching procedure (TCLP)?* (BDAT** = stabilization/immobilization technology) [40 CFR 268.7(b)(1)]

Yes ☒ No ☐ NA ☐

*See Appendix C for exceptions.

**BDAT = best demonstrated available technology. See Appendix A.

Does the documentation discussed in points 2. and 3. reflect proper historical management of wastes previously covered under expired national capacity variances, case by case extensions, and the soft hammer provision?*

Yes ___ No ___ NA ☒

*Note that the soft hammer provision expired as of 05/08/90. Soft hammer wastes which had treatment standards established in the Third Third rule were granted a minimum 90-day national capacity variance to 08/08/90.

C. Storage [40 CFR 268.50]

1. Are prohibited* wastes stored on site in containers?

Yes ☒ No ___ (If No, go to 2.)

*See Appendix E for distinction between restricted and prohibited wastes.

Are all containers clearly marked to identify the contents and date(s) entering storage? [40 CFR 268.50(a)(2)(i)]

Yes ☒ No ___

Have wastes been stored for more than one year since the applicable LDR regulations went into effect?

Yes ___ No ☒ (If No, go to 2.)

Can the facility show that such accumulation is necessary to facilitate property recovery, treatment, or disposal? [40 CFR 268.50 (c)]

Yes ___ No ___

If yes, state how: _____

2. Are prohibited wastes stored on site in tanks?

Yes ___ No ☒ (If No, go to 3.)

Are all tanks clearly marked with a description of the contents, the quantity of each hazardous waste received, and date each period of accumulation begins, or is such information recorded and maintained in the operating record? [40 CFR 268.50(a)(2)(ii)]

Yes ___ No ___

Have tanks been emptied at least once per year since the applicable LDR regulations went into effect?

Yes ___ No ___ (If Yes, go to 3.)

4. Describe all other waste codes and treatment processes:

Waste Code

Treatment Processes

_____	_____
_____	_____
_____	_____

5. Characteristic wastes:

Is the 40 CFR Part 268 treatment standard lower than the 40 CFR Part 261 characteristic level?*

Yes ____ No ____

*This applies to both concentration based treatment standards specified in 40 CFR 268.41 and 268.43, and to some 40 CFR 268.42 required methods which result in treatment below the characteristic level. See Appendix D.

If yes, does the facility manage the waste as restricted until 40 CFR Part 268 treatment standards are met, even after the waste is rendered non-hazardous? [40 CFR 268.9(d)]

Yes ____ No ____

Comments _____

6. Dilution Prohibition [40 CFR 268.3]:

- a. Does the facility mix prohibited wastes with different treatment standards?

Yes ____ No ____ (If No, go to c.)

List the wastes _____

- b. Are the wastes amenable to the same type of treatment? [55 FR 22666]

Yes ____ No ____

If yes, is this method used for the aggregated wastes?

Yes ____ No ____

Comments _____

- c. Based on an assessment of points a. and b., or any other relevant information, is dilution used as a substitute for treatment? [40 CFR 268.3(a)]

Yes ____ No ____

Comments _____

Complete the following table:

<u>Waste Code</u>	<u>Receiving Facility</u>
_____	N/A
_____	_____
_____	_____

Are appropriate generator notifications and certifications provided to the receiving facility with each waste shipment? [40 CFR 268.7(b)(6)]

Yes ___ No ___

E. Surface Impoundments [40 CFR 268.4]

1. Are restricted wastes placed in surface impoundments for treatment?

Yes ___ No ___ (If No, go to F.)

List _____

2. Are evaporation or dilution the only recognizable treatment occurring in the surface impoundment? [40 CFR 268.3(a) and 268.4(b)]

Yes ___ No ___

Comments _____

3. Has the facility submitted to the Agency a waste analysis plan and certification of compliance with minimum technology requirements and ground-water monitoring requirements? [40 CFR 268.4(a)(4)]

Yes ___ No ___

4. If the minimum technology requirements have not been met, has a waiver been granted for that unit? [40 CFR 268.4(a)(3)(ii)]

Yes ___ No ___ NA ___

5. Are representative samples of sludge and supernatant from the surface impoundment tested separately, acceptably, and in accordance with the sampling frequency and analyses specified in the waste analysis plan? (Attach test results.) [40 CFR 268.4(a)(2)(i)]

Yes ___ No ___

6. Does the operating record adequately document the results of waste analyses performed in accordance with 40 CFR 268.4? [40 CFR 264.73(b)(3) and 265.73(b)(3)]

Yes ___ No ___

Comments _____

3. Does the facility test wastes to ensure that they do not exhibit any characteristics at the point of disposal?* [40 CFR 268.9(c)]

Yes ☐ No ☐ NA ☒

*Note: A waste may exceed a characteristic level only if the treatment standard for that characteristic has been met.

4. Does the operating record adequately document the results of waste analyses performed in accordance with 40 CFR 268.7(c)? [40 CFR 264.73(b)(3) and 265.73(b)(3)]

Yes ☐ No ☐

If yes, at what frequency are analyses performed? _____

5. Does the facility land dispose of restricted wastes which are not prohibited?

Yes ☐ No ☐ (If No, go to 6.)

List waste codes in appropriate category below:

National Capacity Variance (40 CFR Part 268, Subpart C) _____

Case-By-Case Extension (40 CFR 268.5) _____

No-Migration Petition (40 CFR 268.6) _____

Treatment Standard Variance (40 CFR 268.44) _____

Does the operating record contain records of the quantities, date of placement, and a copy of the generator notification [40 CFR 268.7(a)(3)] for each shipment of restricted waste subject to a case-by case extension or no-migration petition? [40 CFR 264.73(b)(10) and 265.73(b)(10)]

Yes ☐ No ☐ NA ☐

Do land disposal units receiving wastes covered by a national capacity variance or case-by-case extension meet the requirements in 40 CFR 268.5(h)(2)?

Yes ☐ No ☐ NA ☐

If the facility has a case-by-case extension, is progress being made as described in reports to the Regional Administrator?

Yes ☐ No ☐ NA ☐

6. Are restricted wastes placed in underground injection wells?

Yes ☐ No ☐ List _____

If alternative treatment standards are specified for lab packs, is the certification required in 40 CFR 268.7(a)(7) or (8) included with the notification?

Yes ___ No ___ NA ☒

4. Off-Site Management: Wastes Meets Treatment Standards

- a. Are wastes that meet treatment standards/prohibition levels shipped to an off-site disposal facility?

Yes ___ No ☒ (If No, go to 5.)

Identify waste code(s) and off-site disposal facilities:

<u>Waste Code</u>	<u>Receiving Facility</u>
_____	_____
_____	_____
_____	_____

Are LDR notifications and certifications provided for each shipment to the disposal facility? [40 CFR 268.7(a)(2)(i) and 268.7(a)(2)(ii)]?

Yes ___ No ___ (If No, go to b.)

- b. Are characteristic wastes which have been rendered non-hazardous (in a RCRA exempt unit) shipped to a Subtitle D facility?

Yes ___ No ___ NA ☒ (If No or NA, go to 5.)

Complete the following table:

<u>Waste Code</u>	<u>Receiving Facility</u>
_____	_____
_____	_____
_____	_____

Are a notification and a certification for each shipment sent to the Regional Administrator or authorized State? [40 CFR 268.9(d)(1) and 268.7(b)(5)]?

Yes ___ No ___

Do wastes fall into the following categories? (Check if appropriate.) [40 CFR 268.3(b)]

- ☐ Managed in treatment systems regulated under the Clean Water Act
☐ Non-toxic* characteristic wastes
☐ Treatment standard specified in 40 CFR 268.41 or 268.43

*Non-toxic = D001 (except high TOC nonwastewaters), D002, and D003 (except cyanides and sulfides). [55 FR 22666]

If the wastes do not fall into the above categories, briefly describe the conditions under which they were diluted.

- c. Based on an assessment of points a. and b., and any other relevant circumstances, are prohibited wastes diluted as a substitute for adequate treatment? [40 CFR 268.3(a)]

Yes No 4

Comments _____

H. Additional Comments, Concerns, or Issues Not Addressed in the Checklist:

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LDR CHECKLIST

REFERENCE APPENDICES:

- APPENDIX A TREATMENT STANDARDS AND BEST
 DEMONSTRATED AVAILABLE TECHNOLOGIES**
- APPENDIX B EFFECTIVE DATE SUMMARY**
- APPENDIX C REQUIRED WASTE ANALYSES**
- APPENDIX D TREATMENT STANDARDS BELOW THE
 CHARACTERISTIC LEVEL**
- APPENDIX E PROHIBITED VERSUS RESTRICTED WASTES**
- APPENDIX F LDR REGULATIONS UPDATE - THIRD THIRD
 RULE**

**LAND DISPOSAL RESTRICTIONS
INSPECTION PACKAGE**

CHECKLISTS:

- I. GENERAL INFORMATION**
- II. WASTE IDENTIFICATION**
- III. GENERATOR REQUIREMENTS**
- IV. TSD REQUIREMENTS**
- V. TRANSPORTER REQUIREMENTS**

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Waste Management Division
U.S. EPA, REGION V

REFERENCE APPENDICES:

- APPENDIX A TREATMENT STANDARDS AND BEST
DEMONSTRATED AVAILABLE
TECHNOLOGIES**
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CHARACTERISTIC LEVEL**
- APPENDIX E PROHIBITED VERSUS RESTRICTED WASTES**
- APPENDIX F LDR REGULATIONS UPDATE - THIRD
THIRD RULE**

RCRA LAND DISPOSAL RESTRICTIONS INSPECTION

I. General Information

Facility: PETERSON BUILDERS, Inc.
 U.S. EPA ID No.: WI 096828975
 Street: 101 Pennsylvania St
 City: Sturgeon Bay State: WI Zip: 54235-0650
 Telephone: 414-743-5574

Inspection Date: 2/25/91 Time: 09:45 (am/pm)

Weather Conditions: _____

	<u>Name</u>	<u>Agency/Title</u>	<u>Telephone</u>
Inspectors:	<u>LEN POLCZINSKI</u>	<u>WI DNR - H.W. SPECIALIST</u>	<u>414-492-5870</u>

Facility Representatives:	<u>DON JOHNSTON</u>	<u>PETERSON BUILDERS</u>	<u>414-743-5574</u>
	<u>RICK PROBSOM</u>	<u>" "</u>	<u>" "</u>

See Appendix B to determine which of the following LDR waste categories the facility manages:

	<u>Generate</u>	<u>Transport</u>	<u>Treat</u>	<u>Store</u>	<u>Dispose</u>
F001-F005 Solvents	<u>X</u>	_____	_____	<u>X</u>	_____
F020-F023 and F026-F028	_____	_____	_____	_____	_____
California List*	_____	_____	_____	_____	_____
First Third [40 CFR 268.10]	_____	_____	_____	_____	_____
Second Third [40 CFR 268.11]	_____	_____	_____	_____	_____
Third Third [40 CFR 268.12]	<u>X</u>	_____	_____	<u>X</u>	_____

* See Appendix A

INSPECTION SUMMARY

Processes That Generate LDR Wastes:

PAINTING, CLEANING PARTS, ETC. IN THE SHIP-BUILDING INDUSTRY

LDR Waste Management:

Summary: SEE INSPECTION FOLLOW-UP LETTER DATED 3/18/91 (COPY ATTACHED)

Signature:

Ken Polyzinski

RCRA LAND DISPOSAL RESTRICTIONS INSPECTION

II. WASTE IDENTIFICATION

A. List waste codes which the facility handles in each of the following LDR categories*:

1. F001 through F005 spent solvents:

FOO 2, FOO 3, \neq FOO 5

2. F020-F023 and F026-F028 dioxin-containing wastes:

3. California List Wastes (See Appendix A):

4. First Third Wastes [40 CFR 268.10]:

5. Second Third Wastes [40 CFR 268.11]:

6. Third Third Wastes [40 CFR 268.12]**:

D001 D002

*See Appendix B.

** Note: Effective 09/25/90, large quantity generators and TSDs are required to use the toxicity characteristic leaching procedure (TCLP) instead of the extraction procedure (EP) for determining the toxicity characteristic (TC). Small quantity generators must comply with this new requirement by 03/29/91. Wastes which exhibit TC, but do not exhibit EP, will be considered "newly identified" wastes. They will be regulated under 40 CFR Part 268 only after they are evaluated by U.S. EPA, even if they are characteristic for a constituent previously covered under the EP toxicity characteristic [55 FR 22531].

B. Waste Code Determination

1. Have all wastes been correctly identified for purposes of compliance with 40 CFR Part 268?*

Yes ~~X~~ No

If no, list below:

Assigned Classification

Correct Classification

*Areas of concern include: California List/waste categories with more stringent treatment standards; listed/characteristic; multi-source/single-source leachate; P and U waste codes/F and K wastes; and waste code carry through principle.

Comments:

2. Have both the listed and characteristic waste code been assigned, where a listed waste exhibits a characteristic? [40 CFR 268.9(a)]

Yes ___ No ___ NA X

Comments _____

3. Has multi-source leachate been assigned the F039 waste code?* [40 CFR 261.31]

Yes ___ No ___ NA X

*Leachate derived exclusively from F020-F023 and/or F026-F028 dioxin wastes retains the individual waste codes.

If yes, was single-source leachate combined to form multi-source leachate? [55 FR 22623]

Yes ___ No ___

Comments _____

C. Does the facility handle the following wastes (national capacity variances)?

1. F001-F005 contaminated soil and debris resulting from a CERCLA response action or a RCRA corrective action (expires - 11/08/90). [40 CFR 268.30(c)]

Yes ___ No X List _____

2. Dioxin contaminated soil and debris resulting from a CERCLA response action or a RCRA corrective action (expires - 11/08/90). [40 CFR 268.31(b)]

Yes ___ No X List _____

3. California list contaminated soil and debris resulting from a CERCLA response action or a RCRA corrective action (expires - 11/08/90). [40 CFR 268.32(d)(2)]

Yes ___ No X List _____

4. K048-K052 petroleum wastes (nonwastewaters; expires - 11/08/90). [40 CFR 268.35(b)]

Yes ___ No X List _____

5. Soil and debris contaminated with wastes that had treatment standards based on incineration set in the Second Third rule - F010, F024, K009, K010, K011, K013, K014, K023, K027, K028, K029, K038, K039, K040, K043, K093, K094, K095, K096, K113, K114, K115, K116, P039, P040, P041, P043, P044, P062, P071, P085, P089, P094, P097, P109, P111, U028, U058, U069, U087, U088, U102, U107, U190, U221, U223, U235 (expires - 06/08/91). [40 CFR 268.34(d)]

Yes ___ No X List _____

6. Soil and debris contaminated with wastes that had treatment standards set in the Third Third rule based on incineration, mercury retorting, or vitrification. See Appendix A; (expires - 05/08/92). [40 CFR 268.35(e)]

Yes ☐ No ☒ List _____

7. The following nonwastewaters - F039, K031, K084, K101, K102, K106, P010, P011, P012, P036, P038, P065, P087, P092, U136, U151. (expires -05/08/92). [40 CFR 268.35(c)]

Yes ☐ No ☒ List _____

8. The following wastes identified as hazardous based on a characteristic alone: D004 (nonwastewaters), D008 (lead materials stored before secondary smelting), D009 (nonwastewaters) (expires - 05/08/92). [40 CFR 268.35(c)]

Yes ☐ No ☒ List _____

9. Inorganic solid debris as defined in 40 CFR 268.2(g)*; includes chromium refractory bricks carrying EPA Hazardous Waste Nos. K048-K052 (expires - 05/08/92). [40 CFR 268.35(c)]

Yes ☐ No ☒ List _____

*Note: Incorrect reference [40 CFR 268.2(a)(7)] in Third Third rule.

10. RCRA hazardous wastes that contain naturally occurring radioactive materials (expires - 05/08/92). [40 CFR 268.35(c)]

Yes ☐ No ☒ List _____

11. Wastes listed in 40 CFR 268.10, 268.11, and 268.12 that are mixed radioactive/hazardous wastes (expires - 05/08/92)*. [40 CFR 268.35(d)]

Yes ☐ No ☒ List _____

*Note: 40 CFR 268.10 and 268.11 wastes incorrectly omitted from this variance in the Third Third rule.

RCRA LAND DISPOSAL RESTRICTION INSPECTION

III. GENERATOR REQUIREMENTS

A. Treatability Group/Treatment Standard Identification*

*Note: This information is generally available on LDR notifications. If not, waste profile data and other documentation should be checked.

1. F001-F005 Spent Solvent Wastes: Does the generator correctly determine the appropriate treatability group/treatment standard for each F-solvent?

Yes ___ No ___ NA ___

If available, list each waste code and check the correct treatability group.

<u>Waste Code</u>	<u>Wastewater*</u>	<u>Nonwastewater</u>
<u>F002</u>	___	___
<u>F003</u>	___	___
<u>F005</u>	___	___

*Less than 1% by weight total organic carbon (TOC), or less than 1% by weight total F001-F005 solvent constituents listed in 40 CFR 268.41, Table CCWE. [40 CFR 268.2(f)(1)]

Comments _____

2. F020-F023 and F026-F028 Dioxin Wastes: Does the generator correctly determine the appropriate treatability group/treatment standard for each dioxin waste?

Yes ___ No ___ NA X

If yes, list each waste code and check the correct treatability group.

<u>Waste Code</u>	<u>Wastewater*</u>	<u>Nonwastewater</u>
___	___	___
___	___	___
___	___	___

Comments _____

*Less than 1% TOC by weight and less than 1% total suspended solids (TSS) by weight. [40 CFR 268.2(f)]

3. First, Second, and Third Third Wastes:

- a. Does the generator correctly determine the appropriate treatability group/treatment standard for each waste?

Yes X No ___ NA ___

If available, list each waste code and check the correct treatability group:

Waste Code	Subcategory	Wastewater*	Nonwastewater
<u>D001</u>	_____	_____	<u>+</u>
<u>D002</u>	_____	_____	_____
_____	_____	_____	_____

* Less than 1% TOC by weight and less than 1% total suspended solids (TSS) with the following exceptions: K011, K013, and K014 wastewaters - less than 5% by weight TOC and less than 1% by weight TSS; K103 and K104 wastewaters - less than 4% by weight TOC and less than 1% by weight TSS. [40 CFR 268.2(f)(2) and (3)]

Comments _____

- b. Do the assigned treatment standards for listed wastes cover constituents that may cause the waste to exhibit any characteristics? [40 CFR 268.9 (b)]

Yes _____ No _____ NA X

- c. Does the generator specify alternative treatment standards for lab packs?*

Yes _____ No _____ NA X

*Use of the alternative treatment standards is not required. [55 FR 22629]

If yes, do lab packs only contain the following wastes? [40 CFR 268.42(c)(2)]

_____ Organometallics: 40 Part 268, Appendix IV constituents
 _____ Organics: 40 CFR Part 268, Appendix V constituents

*Unregulated wastes and hazardous wastes which meet treatment standards may be commingled in the appropriate Appendix IV and V lab pack. [55 FR 22629]

- d. Does the generator specify alternative treatment standards for F039 multi-source leachate?*

Yes _____ No _____ NA X

*Use of the alternative treatment standards is required. [55 FR 22619]

4. California List Wastes: Has the generator correctly identified the treatability group and treatment standard/prohibition level for the following wastes? [55 FR 22675]

- a. Liquid hazardous wastes containing PCBs ≥ 50 ppm

Yes _____ No _____ NA X

If yes, check the appropriate treatability group:

_____ 50 to 500 ppm PCBs
 _____ ≥ 500 ppm PCBs

- b. Listed or characteristic wastes containing $\geq 1,000$ mg/l (liquids) or mg/kg (non-liquids) HOCs, which are not listed or characterized by the HOC content

Yes ☐ No ☐ NA ☒

If yes, check the appropriate treatability group:

☐ Dilute HOC wastewater (1,000 mg/l to 10,000 mg/l HOCs)
☐ All other HOCs greater than or equal to the prohibition level of 1,000 mg/l (liquids) or mg/kg (non-liquids)

- c. Liquid hazardous wastes that exhibit a characteristic and also contain ≥ 134 mg/l nickel and/or ≥ 130 mg/l thallium

Yes ☐ No ☐ NA ☒

5. National Capacity Variance Wastes: Have all applicable California List prohibitions been identified for wastes covered under national capacity variances? (See Appendix A.)

Yes ☐ No ☐ NA ☒

If a wastestream contains a mixture of wastes, and a variance only applies to some of the waste codes, has the generator identified all applicable treatment standards and California List prohibitions? (See Appendix A.)

Yes ☐ No ☐ NA ☒

If California List prohibitions apply to wastestreams managed by the generator, complete the following table for each waste code, noting the date on which relevant national capacity variances expire.

Waste Code	Cal List Applicability	Expiration Date
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

Comments

6. Treatment standards expressed as required technologies: Has the generator specified an alternative method to that required in 40 CFR 268.42?

Yes ☐ No ☐ NA ☒

If yes, list the waste code, the technology specified in 40 CFR 268.42, the alternative method, and documentation of approval. [40 CFR 268.42(b)]

Waste Code	Required Technology	Alternative Method	Approval
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Comments

7. Does the generator mix restricted wastes with different treatment standards for a constituent of concern?

Yes ☐ No ☒

If yes, did the generator select the most stringent treatment standards?
[40 CFR 268.41(b) and 268.43(b)]

Yes ☐ No ☐

Comments _____

B. Waste Analysis

1. Does the generator determine whether restricted wastes exceed treatment standards/prohibition levels at the point of generation?* [268.7(a)]

Yes ☒ No ☐

*Note: This determination may be made at the point of disposal if the waste only has a prohibition level in effect.

If no, does the generator ship all restricted wastes as not meeting treatment standards?

Yes ☐ No ☐

Comments _____

2. Which of the following analytical methods does the generator employ?*

*Note: A "No" answer to applicable questions b. through d. does not necessarily constitute a violation. However, knowledge of waste is rarely adequate if a generator certifies that treatment standard criteria have been met.

- a. Knowledge of waste:

Yes ☒ No ☐

If yes, list the wastes for which applied knowledge was used and describe the basis of determination. Attach documentation. [40 CFR 268.7(a)(5)]

- b. TCLP*: Are wastes with treatment standards specified in 40 CFR 268.41 analyzed using TCLP?*** (BDAT*** = stabilization/immobilization technology)

Yes ☒ No ☐ NA ☐

*TCLP = Toxicity Characteristic Leaching Procedure [40 CFR Part 268, Appendix I, EPA Test Method 1311]

**See Appendix C for exceptions.

***BDAT = best demonstrated available technology. See Appendix A.

If yes, list the wastes for which TCLP was used and provide the date of last test, the frequency of testing, and note any problems. Attach test results. [40 CFR 268.7(a)(5)]

NOT APPLIC. AT TIME OF INSPECTION -
FOOZ, FOOZ, & FOOZ

- c. Total constituent analysis: Are wastes with treatment standards specified in 268.43 analyzed using total constituent analysis?* (BDAT = destruction/removal technology)

Yes ☐ No ☐ NA ☒

*See Appendix C for exceptions.

If yes, list the wastes for which total constituent analysis was used and provide the date of last test, the frequency of testing, and note any problems. Attach test results. [40 CFR 268.7(a)(5)]

- d. PFLT*: Was PFLT used to determine if California List constituents were contained in *liquid* hazardous waste?

Yes ☐ No ☐ NA ☒

*PFLT = Paint Filter Liquids Test [Test Method 9095, EPA Publication No. SW-846]

If yes, list the wastes for which PFLT was used and provide the date of last test, the frequency of testing, and note any problems. Attach test results. [40 CFR 268.7 (a)(5)]

3. Does the generator treat restricted wastes in 90-day tanks or containers regulated under 40 CFR 262.34 (permissible in some states)?

Yes ☐ No ☒ (If No, go to 4.)

Does the generator treat the wastes to meet appropriate treatment standards/prohibition levels?

Yes ☐ No ☐

If yes, has the generator prepared a waste analysis plan detailing the frequency of testing to be conducted? 40 CFR 268.7(a)(4)]

Yes ☐ No ☐ (If No, go to 4.)

Does the plan fulfill the following? [40 CFR 268.7(a)(4)(i)]

- ☐ Based on a detailed chemical and physical analysis of a representative sample
☐ Contains information necessary to treat the wastes in accordance with 40 CFR Part 268 requirements

Has the plan been filed with the Regional Administrator (return receipt, Federal Express slip, etc. required for verification)? [40 CFR 268.7(a)(4)(ii)]

Yes ☐ No ☒

Comments _____

4. Dilution Prohibition [40 CFR 268.3]:

- a. Does the generator mix prohibited* wastes with different treatment standards?

*See Appendix E for distinction between restricted and prohibited wastes.

Yes ☐ No ☒ (If No, go to b.)

List the wastes _____

Are the wastes amenable to the same type of treatment? [55 FR 22666]

Yes ☐ No ☒

Comments _____

- b. Does the generator dilute prohibited wastes to meet treatment standard criteria, or render them non-hazardous? [55 FR 22665-22666]

Yes ☐ No ☒ (If No, go to c.)

Check appropriate category:

- ☐ Dilutes to meet treatment standards
☐ Dilutes to render waste non-hazardous

Do the wastes fall into the following categories? (Check if appropriate.) [40 CFR 268.3(b)]

- ☐ Managed in treatment systems regulated under the Clean Water Act
☐ Non-toxic* characteristic wastes
☐ Treatment standard specified in 40 CFR 268.41 or 268.43

*Non-toxic = D001(except high TOC nonwastewaters), D002, and D003(except cyanides and sulfides). [55 FR 22666]

If the wastes do not fall into the above categories, briefly describe the conditions under which they were diluted.

- c. Based on an assessment of points a. and b., and any other relevant circumstances, does the generator dilute prohibited wastes as a substitute for adequate treatment? [40 CFR 268.3(a)]

Yes ☐ No ☒

Comments _____

5. F039 Multi-source leachate: Has the generator run an initial analysis for all constituents of concern in 40 CFR 268.41 and 268.43? [55 FR 22620]

Yes ___ No ___ NA X

C. Management

1. On-Site Management

- a. Are restricted wastes treated (other than in a RCRA exempt unit), stored for greater than 90 (small quantity generator* - 180) days, or disposed on site?

Yes X No ___

(If yes, the TSD Checklist must also be completed.)

* Small quantity generator = generator of greater than or equal to 100 kg/mo. but less than 1,000 kg/mo. hazardous waste, or less than 1 kg/mo. acutely hazardous waste

Comments _____

- b. If the generator treats characteristic wastes in systems regulated under the Clean Water Act, have the following been documented: the determination of restriction, how restricted wastes are managed, and why wastes discharged pursuant to an NPDES permit are not prohibited (if applicable)? [55 FR 22662]

Yes ___ No ___ NA X

- c. If the generator treats characteristic wastes in RCRA exempt units to render them non-hazardous, are the wastes managed as restricted until 40 CFR Part 268 treatment standards are met?*. [40 CFR 268.9(d)]

Yes ___ No ___ NA X

*This applies to both concentration based treatment standards specified in 40 CFR 268.41 and 268.43, and to some 40 CFR 268.42 required methods which result in treatment below the characteristic level. See Appendix D.

2. Off-Site Management: Waste Exceeds Treatment Standards

- a. Does the generator ship any waste that exceeds treatment standards /prohibition levels (not subject to a national capacity variance) to an off-site treatment or storage facility?

Yes X No ___ (If No, go to 3.)

Identify waste code(s) and off-site treatment or storage facilities to which wastes are shipped.

Waste Code	Receiving Facility
F002, 03, 05	Peterson Builders, Inc. TSO
0001	
0002	

Does the generator provide a notification to the treatment or storage facility?
[40 CFR 268.7(a)(1)]

Yes ☐ No ☒ (If No, go to 3.)

If the generator specifies alternative treatment standards for lab packs, is the certification required in 40 CFR 268.7(a)(7) or (8) included with the notification?

Yes ☐ No ☐ NA ☐

b. Is a notification sent with each waste shipment?

Yes ☐ No ☐

If no, is the waste subject to a tolling agreement pursuant to 262.20(e) (small quantity generator only)?

Yes ☐ No ☐ (If No, go to 3.)

List waste codes and subsequent handler with whom a contractual tolling agreement is held.

Waste Code	Subsequent Handler
_____	_____
_____	_____
_____	_____

Did the small quantity generator provide a notification to the receiving facility with the first waste shipment subject to the tolling agreement? [40 CFR 268.7(a)(9)]

Yes ☐ No ☐

3. Off-Site Management: Waste Meets Treatment Standards

a. Does the generator ship waste that meets treatment standards/prohibition levels to an off-site disposal facility?

Yes ☐ No ☒ (If No, go to 4.)

Identify waste code(s) and off-site disposal facilities:

Waste Code	Receiving Facility
_____	_____
_____	_____
_____	_____

Does the generator provide a notification and a certification to the disposal facility? [40 CFR 268.7(a)(2)(i) and 268.7(a)(2)(ii)]?

Yes ☐ No ☐ (If No, go to d.)

- b. Are a notification and a certification sent with each waste shipment?

Yes ☐ No ☐

If no, is the waste subject to a tolling agreement pursuant to 262.20(e) (small quantity generator only)?

Yes ☐ No ☐ (If No, go to c.)

List waste codes and subsequent handler with whom a contractual tolling agreement is held.

Waste Code

Subsequent Handler

Did the small quantity generator provide a notification and a certification to the receiving facility with the first waste shipment subject to the tolling agreement? [40 CFR 268.7(a)(9)]

Yes ☐ No ☐

- c. Are characteristic wastes which have been rendered non-hazardous (in a RCRA exempt unit) shipped to a Subtitle D facility?

Yes ☐ No ☐ NA ☐ (If No or NA, go to 4.)

Complete the following table:

Waste Code

Receiving Facility

Are a notification and a certification for each shipment sent to the Regional Administrator or authorized State? [40 CFR 268.9(d)(1) and 268.7(b)(5)]?

Yes ☐ No ☐

4. Off-Site Management: Wastes Subject to Variances, Extensions, or Petitions

- a. Does the generator ship wastes to a treatment, storage, or disposal facility which are subject to a national capacity variance (40 CFR Part 268, Subpart C), or case-by-case extension (40 CFR 268.5)?

Yes ☐ No ☒ (If No, go to 5.)

Complete the following table:

Waste Code

Receiving Facility

Does the generator provide notification to the off-site receiving facility that the waste is not prohibited from land disposal? [40 CFR 268.7(a)(3)]

Yes ☐ No ☐

b. Is a notification sent with each waste shipment?

Yes ☐ No ☐

If no, is the waste subject to a tolling agreement pursuant to 40 CFR 262.20(e) (small quantity generator only)?

Yes ☐ No ☐ (If No, go to 5.)

List waste codes and subsequent handler with whom a contractual tolling agreement is held.

Waste Code	Subsequent Handler
_____	_____
_____	_____
_____	_____

Did the small quantity generator provide a notification to the receiving facility with the first waste shipment subject to the tolling agreement? [40 CFR 268.7(a)(9)]

Yes ☐ No ☐

5. Records Retention

Does the generator retain on site copies of all notifications, certifications, and other relevant documents for a period of 5 years? [40 CFR 268.7(a)(6)]

Yes ☒ No ☐

Are copies of relevant tolling agreements, along with the LDR notification and/or certification, kept on site for at least 3 years after expiration or termination of the agreement? [40 CFR 268.9]

Yes ☐ No ☐ NA ☒

Do LDR documents reflect proper management of wastes previously covered under expired national capacity variances, case by case extensions and the soft hammer provision*?

Yes ☐ No ☐ NA ☒

*See Appendix B. Note that the soft hammer provision expired as of 05/08/90. Soft hammer wastes which had treatment standards established in the Third Third rule were granted a minimum 90-day national capacity variance to 08/08/90.

Comments _____

D. Treatment Using RCRA 40 CFR Parts 264 and 265 Exempt Units or Processes

1. Are restricted wastes treated in RCRA exempt units (i.e., boilers, furnaces, distillation units, wastewater treatment tanks, elementary neutralization, etc.)?

Yes X No ~~13~~ (If No, do not complete this section.)

List types of waste treatment units and processes:

Waste Code	Type of Treatment	Treatment Units and Processes
FO02		RECYCLING STILL

2. Are treatment residuals generated from these units?

Yes ☒ No ☐

Comments _____

3. Are residuals further treated, stored for greater than 90/180 days, or disposed on site?

Yes ☒ No ☐ NA ☐

(If yes, the TSD checklist must also be completed.)

E. Additional Comments, Concerns, or Issues Not Addressed in the Checklist:

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RCRA LAND DISPOSAL RESTRICTION INSPECTION

IV. TSD REQUIREMENTS

A. Waste Analysis [40 CFR 268.7(b), 264.13, and 265.13]

1. Does the waste analysis plan address the following LDR waste categories?
[40 CFR 264.13(b)(6) and 265.13(b)(6)]

F001-F005 Spent Solvents	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
F020-F023 and F026-F028 Dioxins	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
California List Wastes	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
First, Second, and Third Third Wastes	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>

Comments _____

2. Has the waste analysis plan been revised to address F039 multi-source leachate?

Yes ☐ No ☐ NA ☒

3. What date was the waste analysis plan last revised? ___/___/___ *Currently Being Revised*

4. Does analytical data contain all the information required to treat, store, or dispose of restricted wastes? [40 CFR 264.13(a)(1) and 265.13(a)(1)]

FORMER PLAN DID
Yes ☒ No ☐

If yes, which of the following are sources of analytical data? (More than one may apply.):

☐ Generator provides data
☐ Facility performs analyses in on-site laboratory
☒ Facility contracts analyses at off-site laboratory

If the generator provides data, does the facility provide corroborative testing? [40 CFR 264.13(a)(2) and 265.13(a)(2)]

Yes ☐ No ☐ NA ☒

If analyses are conducted off site, identify lab: ENVIRON

- a. Are wastes with treatment standards specified in 40 CFR 268.41 analyzed using the toxicity characteristic leaching procedure (TCLP)?* (BDAT** = stabilization/immobilization technology) [40 CFR 268.7(b)(1)]

Yes ☒ No ☐ NA ☐

*See Appendix C for exceptions.

**BDAT = best demonstrated available technology. See Appendix A.

If yes, list the wastes for which TCLP was used and provide the date of last test, frequency of testing, and note any problems. Attach test results. [40 CFR 264.73 (b)(3) and 265.73(b)(3)]

FOOZ, FOO3, FOO5

- b. Are wastes with treatment standards specified in 40 CFR 268.43 analyzed using total constituent analysis?* (BDAT = destruction/removal technology) [40 CFR 268.7(b)(3)]

Yes ___ No ___ NA ☒

*See Appendix C for exceptions.

If yes, list the wastes for which total constituent analysis was used and provide the date of last test, frequency of testing, and note any problems. Attach test results. [40 CFR 264.73 (b)(3) and 265.73(b)(3)]

- c. Is the paint filter liquids test (PFLT) used to determine if California List wastes are contained in *liquid* hazardous waste? [40 CFR 268.32(i)]

Yes ___ No ___ NA ☒

If yes, list the wastes for which PELT was used and provide the date of last test, the frequency of testing, and note any problems. Attach test results. [40 CFR 264.73(b)(3) and 265.73(b)(3)]

B. Operating Record [40 CFR 264.73 and 265.73]

1. Does the operating record contain records and results of waste analyses performed as specified in 40 CFR 268.4 and/or 40 CFR 268.7(b)? [40 CFR 264.73(b)(3) and 265.73(b)(3)]

Yes ☒ No ___

2. Does the operating record contain copies of LDR notifications and certifications?* [40 CFR 264.73(b)(11), (13), and (15) and 40 CFR 265.73(b)(11), (13), and (15)]

Yes ☒ No ___

*Include both those received from generators, and those prepared for off-site shipments.

3. Does the operating record include appropriate documentation for restricted wastes which are managed wholly on site? [40 CFR 264.73(b)(12), (14), and (16) and 265.73(b)(12), (14), and (16)]

Yes ☒ No ___ NA ___

Does the documentation discussed in points 2. and 3. reflect proper historical management of wastes previously covered under expired national capacity variances, case by case extensions, and the soft hammer provision?*

Yes ___ No ___ NA X

*Note that the soft hammer provision expired as of 05/08/90. Soft hammer wastes which had treatment standards established in the Third Third rule were granted a minimum 90-day national capacity variance to 08/08/90.

C. Storage [40 CFR 268.50]

1. Are prohibited* wastes stored on site in containers?

Yes X No ___ (If No, go to 2.)

*See Appendix E for distinction between restricted and prohibited wastes.

Are all containers clearly marked to identify the contents and date(s) entering storage? [40 CFR 268.50(a)(2)(i)]

Yes X No ___

Have wastes been stored for more than one year since the applicable LDR regulations went into effect?

Yes ___ No X (If No, go to 2.)

Can the facility show that such accumulation is necessary to facilitate property recovery, treatment, or disposal? [40 CFR 268.50 (c)]

Yes ___ No ___

If yes, state how: _____

2. Are prohibited wastes stored on site in tanks?

Yes ___ No X (If No, go to 3.)

Are all tanks clearly marked with a description of the contents, the quantity of each hazardous waste received, and date each period of accumulation begins, or is such information recorded and maintained in the operating record? [40 CFR 268.50(a)(2)(ii)]

Yes ___ No ___

Have tanks been emptied at least once per year since the applicable LDR regulations went into effect?

Yes ___ No ___ (If Yes, go to 3.)

Can the facility show that such accumulation is necessary to facilitate proper recovery, treatment, or disposal? [40 CFR 268.50(c)]

Yes ___ No ___

If yes, state how: Not necessary - Properly licensed TSD

3. Does the facility store liquid hazardous waste containing PCBs at concentrations greater than or equal to 50 ppm?

Yes ___ No X (If No, go to D.)

Does the facility meet the TSCA criteria in 40 CFR 761.65(b)? [40 CFR 268.50(f)]

Yes ___ No X

Have these wastes been stored for more than one year? [40 CFR 268.50(f)]

Yes ___ No ___

D. Treatment N/A

1. Does the facility treat restricted wastes other than in surface impoundments?

Yes ___ No ___ (If No, do not complete this section. Go to E.)

2. Are required technologies used to treat wastes which have treatment standards specified in 40 CFR 268.42? [40 CFR 268.40(b)]

Yes ___ No ___ NA ___ (If Yes or NA, go to 3.)

Was an alternative method approved?

Yes ___ No ___

List each waste code, the technology specified in 40 CFR 268.42, and the alternative method. Check if approval of the alternative method is documented. [40 CFR 268.42(b)]

<u>Waste Code</u>	<u>Required Technology</u>	<u>Alternative Method</u>	<u>Approval</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

3. Lab packs: If alternative treatment standards are specified, are incinerator residues from lab packs containing D004, D005, D006, D007, D008, D010, and D011 treated in compliance with the subpart D treatment standards for these characteristic wastes? [40 CFR 268.42(c)(4)]

Yes ___ No ___ NA ___

4. Describe all other waste codes and treatment processes:

<u>Waste Code</u>	<u>Treatment Processes</u>
_____	_____
_____	_____
_____	_____

5. Characteristic wastes:

Is the 40 CFR Part 268 treatment standard lower than the 40 CFR Part 261 characteristic level?*

Yes ___ No ___

*This applies to both concentration based treatment standards specified in 40 CFR 268.41 and 268.43, and to some 40 CFR 268.42 required methods which result in treatment below the characteristic level. See Appendix D.

If yes, does the facility manage the waste as restricted until 40 CFR Part 268 treatment standards are met, even after the waste is rendered non-hazardous? [40 CFR 268.9(d)]

Yes ___ No ___

Comments _____

6. Dilution Prohibition [40 CFR 268.3]:

- a. Does the facility mix prohibited wastes with different treatment standards?

Yes ___ No ___ (If No, go to c.)

List the wastes _____

- b. Are the wastes amenable to the same type of treatment? [55 FR 22666]

Yes ___ No ___

If yes, is this method used for the aggregated wastes?

Yes ___ No ___

Comments _____

- c. Based on an assessment of points a. and b., or any other relevant information, is dilution used as a substitute for treatment? [40 CFR 268.3(a)]

Yes ___ No ___

Comments _____

7. Does the facility, in accordance with an acceptable waste analysis plan, test residues from all treatment processes? [40 CFR 268.7(b)]

Yes ___ No ___

N/A

Comments _____

8. Does the facility ship any characteristic wastes which have been rendered non-hazardous to a Subtitle D facility?

Yes ___ No ___ (If No, go to 9.)

Complete the following table:

<u>Waste Code</u>	<u>Receiving Facility</u>
_____	_____
_____	_____
_____	_____

Are a notification and a certification for each shipment sent to the Regional Administrator or authorized State? [40 CFR 268.9(d)(1) and 268.7(b)(5)]

Yes ___ No ___

9. Does the facility ship any wastes or treatment residues to an off-site land disposal facility?

Yes ___ No ___ (If No, go to 10.)

Complete the following table:

<u>Waste Code</u>	<u>Receiving Facility</u>
_____	_____
_____	_____
_____	_____

Are a notification and a certification provided to the land disposal facility with each waste shipment? [40 CFR 268.7(b)(4) and 40 CFR 268.7(b)(5)]

Yes ___ No ___

10. Does the facility ship any wastes or treatment residues to be further managed at a different treatment or storage facility?

Yes ___ No ___ (If No, go to E.)

Complete the following table:

<u>Waste Code</u>	<u>Receiving Facility</u>
_____	N/A
_____	_____
_____	_____

Are appropriate generator notifications and certifications provided to the receiving facility with each waste shipment? [40 CFR 268.7(b)(6)]

Yes ___ No ___

E. Surface Impoundments [40 CFR 268.4]

1. Are restricted wastes placed in surface impoundments for treatment?

Yes ___ No ___ (If No, go to F.)

List _____

2. Are evaporation or dilution the only recognizable treatment occurring in the surface impoundment? [40 CFR 268.3(a) and 268.4(b)]

Yes ___ No ___

Comments _____

3. Has the facility submitted to the Agency a waste analysis plan and certification of compliance with minimum technology requirements and ground-water monitoring requirements? [40 CFR 268.4(a)(4)]

Yes ___ No ___

4. If the minimum technology requirements have not been met, has a waiver been granted for that unit? [40 CFR 268.4(a)(3)(ii)]

Yes ___ No ___ NA ___

5. Are representative samples of sludge and supernatant from the surface impoundment tested separately, acceptably, and in accordance with the sampling frequency and analyses specified in the waste analysis plan? (Attach test results.) [40 CFR 268.4(a)(2)(i)]

Yes ___ No ___

6. Does the operating record adequately document the results of waste analyses performed in accordance with 40 CFR 268.4? [40 CFR 264.73(b)(3) and 265.73(b)(3)]

Yes ___ No ___

Comments _____

7. Do the treatment residues (sludges or liquids) exceed applicable treatment standards/prohibition levels? **N/A**

Sludge Yes ☐ No ☐ Waste Code _____
 Supernatant Yes ☐ No ☐ Waste Code _____

Provide the frequency of analyses conducted on treatment residues:

8. If sludge residues exceed treatment standards/prohibition levels, are they removed on an annual basis? [40 CFR 268.4(a)(2)(ii)]

Yes ☐ No ☐ NA ☐

Comments _____

Are residues subsequently managed in another surface impoundment? [40 CFR 268.4(a)(2)(iii)]

Yes ☐ No ☐

9. If supernatant is determined to exceed treatment standards, is annual throughput greater than impoundment volume? [40 CFR 268.4(a)(2)(ii)]

Yes ☐ No ☐ NA ☐

Comments _____

F. Land Disposal

1. Are restricted wastes placed in or on the land in units such as landfills, surface impoundments*, waste piles, land treatment units, salt domes/beds, mines/caves, concrete vaults, or bunkers? [40 CFR 268.2(c)]

Yes ☐ No ☐ (If No, go to G.)

*Note: Do not include surface impoundments addressed in E.

If yes, specify which units and what wastes each unit has received:

Unit	Waste
_____	_____
_____	_____
_____	_____

2. Does the facility, in accordance with an acceptable waste analysis plan, test prohibited wastes prior to land disposal to ensure that all applicable treatment standards and/or prohibition levels have been met? [40 CFR 268.7(c)(2)]

Yes ☐ No ☐

Comments _____

3. Does the facility test wastes to ensure that they do not exhibit any characteristics at the point of disposal?* [40 CFR 268.9(c)]

Yes ___ No ___ NA X

*Note: A waste may exceed a characteristic level only if the treatment standard for that characteristic has been met.

4. Does the operating record adequately document the results of waste analyses performed in accordance with 40 CFR 268.7(c)? [40 CFR 264.73(b)(3) and 265.73(b)(3)]

Yes ___ No ___

If yes, at what frequency are analyses performed? _____

5. Does the facility land dispose of restricted wastes which are not prohibited?

Yes ___ No ___ (If No, go to 6.)

List waste codes in appropriate category below:

National Capacity Variance (40 CFR Part 268, Subpart C) _____

Case-By-Case Extension (40 CFR 268.5) _____

No-Migration Petition (40 CFR 268.6) _____

Treatment Standard Variance (40 CFR 268.44) _____

Does the operating record contain records of the quantities, date of placement, and a copy of the generator notification [40 CFR 268.7(a)(3)] for each shipment of restricted waste subject to a case-by case extension or no-migration petition? [40 CFR 264.73(b)(10) and 265.73(b)(10)]

Yes ___ No ___ NA ___

Do land disposal units receiving wastes covered by a national capacity variance or case-by-case extension meet the requirements in 40 CFR 268.5(h)(2)?

Yes ___ No ___ NA ___

If the facility has a case-by-case extension, is progress being made as described in reports to the Regional Administrator?

Yes ___ No ___ NA ___

6. Are restricted wastes placed in underground injection wells?

Yes ___ No ___ List _____

G. Other Wastestreams

N/A

1. Does the facility generate wastes other than residues from RCRA treatment units?

Yes ___ No ___ (If No, go to H.)

2. On-Site Management

- a. If characteristic wastes are treated in systems regulated under the Clean Water Act, have the following been documented: the determination of restriction, how restricted wastes are managed, and why wastes discharged pursuant to an NPDES permit are not prohibited (if applicable)? [55 FR 22662]

Yes ___ No ___ NA ___

- b. If characteristic wastes are treated in RCRA exempt units to render them non-hazardous, are the wastes managed as restricted until 40 CFR Part 268 treatment standards are met? * [40 CFR 268.9(d)]

Yes ___ No ___ NA ___

*This applies to both concentration based treatment standards specified in 40 CFR 268.41 and 268.43, and to some 40 CFR 268.42 required methods which result in treatment below the characteristic level. See Appendix D.

3. Off-Site Management: Waste Exceeds Treatment Standards

Are wastes that exceed treatment standards/prohibition levels (not subject to a national capacity variance) shipped to an off-site treatment or storage facility?

Yes ___ No ___ (If No, go to 4.)

Identify wastes code(s) and off-site treatment or storage facilities to which wastes are shipped.

Waste Code

Receiving Facility

_____	_____
_____	_____
_____	_____

Are LDR notifications provided for each shipment to the treatment or storage facility? [40 CFR 268.7(a)(1)]

Yes ___ No ___ (If No, go to 4.)

If alternative treatment standards are specified for lab packs, is the certification required in 40 CFR 268.7(a)(7) or (8) included with the notification?

Yes ___ No ___ NA ☒

4. Off-Site Management: Wastes Meets Treatment Standards

- a. Are wastes that meet treatment standards/prohibition levels shipped to an off-site disposal facility?

Yes ___ No ☒ (If No, go to 5.)

Identify waste code(s) and off-site disposal facilities:

<u>Waste Code</u>	<u>Receiving Facility</u>
_____	_____
_____	_____
_____	_____

Are LDR notifications and certifications provided for each shipment to the disposal facility? [40 CFR 268.7(a)(2)(i) and 268.7(a)(2)(ii)]?

Yes ___ No ___ (If No, go to b.)

- b. Are characteristic wastes which have been rendered non-hazardous (in a RCRA exempt unit) shipped to a Subtitle D facility?

Yes ___ No ___ NA ☒ (If No or NA, go to 5.)

Complete the following table:

<u>Waste Code</u>	<u>Receiving Facility</u>
_____	_____
_____	_____
_____	_____

Are a notification and a certification for each shipment sent to the Regional Administrator or authorized State? [40 CFR 268.9(d)(1) and 268.7(b)(5)]?

Yes ___ No ___

5. Off-Site Management: Wastes Subject to Variances, Extensions, or Petitions

- a. Are wastes that are subject to a national capacity variance (40 CFR Part 268, Subpart C) or a case-by-case extension (40 CFR 268.5) shipped to a treatment, storage, or disposal facility?

Yes ☐ No ☒ (If No, go to 6.)

Complete the following table:

<u>Waste Code</u>	<u>Receiving Facility</u>
_____	_____
_____	_____
_____	_____

- b. Are LDR notifications (stating that the waste is not prohibited from land disposal) provided for each shipment to the off-site receiving facility? [40 CFR 268.7(a)(3)]

Yes ☐ No ☒

6. Dilution Prohibition [40 CFR 268.3]:

- a. Are prohibited* wastes with different treatment standards mixed?

*See Appendix E for distinction between restricted and prohibited wastes.

Yes ☐ No ☒ (If No, go to b.)

List the wastes _____

Are the wastes amenable to the same type of treatment? [55 FR 22666]

Yes ☐ No ☐

Comments _____

- b. Are prohibited wastes diluted to meet treatment standard criteria, or render them non-hazardous? [55 FR 22665-22666]

Yes ☐ No ☒ (If No, go to c.)

Check appropriate category:

☐ Dilutes to meet treatment standards
☐ Dilutes to render waste non-hazardous

Do wastes fall into the following categories? (Check if appropriate.) [40 CFR 268.3(b)]

- ___ Managed in treatment systems regulated under the Clean Water Act
 ___ Non-toxic* characteristic wastes
 ___ Treatment standard specified in 40 CFR 268.41 or 268.43

*Non-toxic = D001 (except high TOC nonwastewaters), D002, and D003 (except cyanides and sulfides). [55 FR 22666]

If the wastes do not fall into the above categories, briefly describe the conditions under which they were diluted.

- c. Based on an assessment of points a. and b., and any other relevant circumstances, are prohibited wastes diluted as a substitute for adequate treatment? [40 CFR 268.3(a)]

Yes _____ No ✓

Comments _____

H. Additional Comments, Concerns, or Issues Not Addressed in the Checklist:

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

LAND DISPOSAL RESTRICTIONS INSPECTION

V. TRANSPORTER REQUIREMENTS

- A. Does the transporter accumulate restricted wastes for more than 10 days? [40 CFR 268.50(a)(3)]

Yes ☐ No ☒

If yes, check the appropriate regulatory status:

☐ Interim status for storage
☐ RCRA permit for storage

(The TSD checklist must also be completed.)

If no, describe inventory controls to ensure that wastes are not stored for more than 10 days:

- B. Does the transporter mix or combine restricted wastes of different DOT shipping descriptions? [40 CFR 263.10(c)(2)]?

Yes ☐ No ☒

(If yes, the Generator checklist must also be completed.)

- C. Are restricted wastes treated in RCRA exempt units (boilers, furnaces, distillation units, wastewater treatment tanks, elementary neutralization, etc.)?

Yes ☒ No ☐ (If No, do not complete this section.)

List types of waste treatment units and processes:

Waste Code	Type of Treatment	Treatment Units or Process
F002	Distillation	

Are treatment residuals generated from these units?

Yes ☒ No ☐

Comments _____

Are residuals further treated, stored for greater than 10 days, or disposed on site?

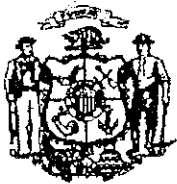
Yes ☒ No ☐ NA ☐

(If Yes, the TSD checklist must also be completed.)

LDR CHECKLIST

REFERENCE APPENDICES:

- APPENDIX A TREATMENT STANDARDS AND BEST
DEMONSTRATED AVAILABLE TECHNOLOGIES**
- APPENDIX B EFFECTIVE DATE SUMMARY**
- APPENDIX C REQUIRED WASTE ANALYSES**
- APPENDIX D TREATMENT STANDARDS BELOW THE
CHARACTERISTIC LEVEL**
- APPENDIX E PROHIBITED VERSUS RESTRICTED WASTES**
- APPENDIX F LDR REGULATIONS UPDATE - THIRD THIRD
RULE**



State of Wisconsin \

DEPARTMENT OF NATURAL RESOURCES

Lake Michigan District Headquarters
Box 10448, 1125 North Military Avenue
Green Bay, Wisconsin 54307-0448
Main Number: 414-492-5800
Fax Number: 414-492-5913

March 18, 1991

File Ref: 4430

Mr. Rich Propsom, Envr. Engr.
Peterson Builders, Inc.
101 Pennsylvania St., P. O. Box 650
Sturgeon Bay, WI 54235-0650

CERTIFIED MAIL RETURN
RECEIPT REQUESTED

Dear Mr. Propsom:

This letter is being sent to you since Don Johnston has left employment with Peterson Builders, Inc. (PBI). This letter raises several concerns the Department observed at its February 25th inspection of PBI's hazardous waste storage facility and Plant 2 (generator inspection) and its February 28th generator inspection of Plant 1.

PBI's Storage Facility - EPA I.D. #WID096828975. A record review of this facility on January 23, 1991 found PBI in violation with Chapter NR181.42 (10) and (11) Wis. Adm. Code financial requirements for hazardous waste storage facilities. The Department issued a letter of non-compliance on January 30, 1991 informing PBI of this violation. Information provided by Don Johnston (letter dated February 6, 1991) addressed these financial requirement concerns. This action brings PBI back into compliance with sections NR181.42 (10) and (11).

My site inspection on February 25th at the storage facility found only two concerns. The hazardous waste label on the small steel drum used to collect still bottoms from the freon recycling still did not have a date affixed when accumulation started. Please ensure that this date is written in. Also, it appeared that a lot of clutter was occurring in the vicinity of the still. The Department suggests that the still bottom waste drum and other drums lined up waiting for recycling, be stored inside the adjacent licensed waste storage room to reduce congestion in this area.

The second concern is that the contingency plan for the storage facility must be updated to reflect Don's departure and any other appropriate changes that may have occurred.

PBI needs to review their original Part B application and update it as appropriate. Specifically, Section C Waste Characteristics & Waste Analysis needs updating.

PBI Plant 2 - EPA I.D. #980898399. Concerns and action needed -

- 1) Inside Building #80 - 2 drums near the phosphoric acid bath had oil absorbent waste in them. According to Don this waste resulted from soaking up oils out of the bath tank. Don agreed to have these sampled/tested to determine proper handling and disposal. Please follow through on this initiative.
- 2) Building #80 had 2 full 55 gallon drums, one with waste paint material and one with methylene chloride waste, plus an additional 2 drums for two other waste streams (acetone mixed waste and dioctyl phthalate). If PBI is calling this a satellite accumulation area per section NR181.21 (5) (c) - then only an amount less than or equal to 55 gallons can accumulate at this point at any one time regardless of the number of waste streams. If PBI temporarily stores waste at this location, this storage cannot exceed 90 days regardless of the quantity generated. After 90 days, the waste needs to be moved to the licensed storage facility.
- 3) Enclosed is a manifest file print-out for Plant 2 that "circles" several documents in which the Department did not receive copy 1 or the initial copy (i.e. 2 signatures). Please go through your records, copy these missing documents, and send them to Ms. Carol Schmidt (same address as on this letterhead). Call Carol directly at 492-5871 if you have any questions regarding this.
- 4) Plant 2's contingency plan needs amending to to Don's departure and to include the expanded emergency response capability due to the availability of the mobile emergency spill vehicle.

PBI Plant 1 - EPA I.D. # WID096828975

- A. Two 55 gallon drums - Drum #'s 9005287 & 9002608 were found outside Building 4 with no markings/labels to indicate the drum contents. Don agreed to investigate and to handle or dispose of properly. Please follow through on this initiative.
- B. In the paint booth there was one full 55 gallon drum of waste mineral spirits, including 2 - 55 gallon drums partially filled with paint solvent clean-up wastes. The comment made in #2 above (for Plant 2) applies here as well. Please decide whether PBI is going to call these locations satellite accumulation areas and abide by section NR181.21 (5) (c) Wis. Adm. Code or comply with the 90 days or less requirements under section NR181.21 (5) (a).
- C. Please review the attached manifest print-out for Plant 1 and provide the Department with the manifests listed as missing.

Please address the above concerns within 30 days of receiving this letter and send me written verification that all concerns have been addressed. Call me if you have any questions at 492-5870.

Note -As of March 1, 1991, Chapter NR181 Wis. Adm. Code has been replaced by the new NR600 Code. To obtain a copy please call the Department of Administration - Document Sales and Distribution Center at (608) 266-3358.

Sincerely,



Len Polczinski
Solid and Hazardous Waste Program Unit Leader

LP/nr

Enclosures

cc: Aggie Cook - SW\3
Carol Schmidt



SHIP DESIGNERS
AND BUILDERS

Peterson Builders, Inc.

STURGEON BAY, WISCONSIN 54235-0650
101 Pennsylvania Street, P.O. Box 650

(414) 743-5574
TELEX 26-3423

29 August 1988

RCRA Activities
U.S. EPA Region V
ATTN: Sharon Kidden
Waste Management Division
P.O. Box A3587
Chicago, IL 60690

SUBJ: RENOTIFICATION OF HAZARDOUS WASTE ACTIVITIES

Dear Ms. Kidden:

Enclosed are two notification forms for facilities owned and operated by Peterson Builders, Inc. These forms are submitted to update information about the facilities, and in the case of Plant 2, correct a past notification error.

Peterson Builders submitted notification forms for two facilities in November 1980. These facilities were located at 101 Pennsylvania Street, Sturgeon Bay (WID006139349) and 107 East Walnut Street, Sturgeon Bay (WID096828975). In December 1983 a third notification was submitted for a location given as "the corner of Walnut and Lansing" (WID980898399).

The third (December 1983) notification was submitted in error. This facility (WID980898399) is contiguous with the facility that has ID #WID096828975. This third (December 1983) notification should have been a renotification expanding the activity at facility WID096828975. To correct the error I am requesting, with concurrence of the Wisconsin Department of Natural Resources, that the WID980898399 ID number be made inactive, and all activity be transferred to the WID096828975 ID number.

Thank you and if you have any questions about this matter, please call me at (414)743-5574 ext 248.

Sincerely,

Don Johnston
Environmental Coordinator

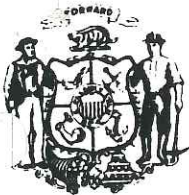
DJ/ss

cc: G. Higgins
A. Nichol Mamolou - WIDNR

RECEIVED

SEP 02 1988

U. S. EPA, REGION V
SWB — PMS



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921

MADISON, WISCONSIN 53707

IN REPLY REFER TO: 4190

August 15, 1988

Mr. E. L. Peterson, President
Peterson Builders, Inc.
P.O. Box 47
Sturgeon Bay, WI 54235-0047

OFFICE OF RCRA
Waste Management Division
U.S. EPA, REGION V

RECEIVED
AUG 18 1988

Dear Mr. Peterson:

On February 26, 1988 the Department referred your company to the U.S. Environmental Protection Agency (USEPA) for apparent violations of your RCRA Part B Permit. Specifically, the referral was made for a failure to obtain proof of financial responsibility for closure and failure to submit adequate demonstration of liability insurance coverage.

After determining your company has returned to compliance and discussing your actions with USEPA, the decision has been made to not pursue further enforcement. Your facility will continue to be monitored for compliance with its USEPA RCRA Part B Permit and applicable state hazardous waste management regulations.

Sincerely,

Kathryn A. Curtner
Assistant Administrator
Division of Enforcement

KAC:js

v:\8809\ee9peter.bbh

cc: David Pflug - LMD
Bureau of Solid and Hazardous Waste Management - SW/3
William M. Muno - USEPA
Gary Higgins - Peterson Builders, Inc.



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Lake Michigan District Headquarters
1125 N. Military Avenue
P.O. Box 10448
Green Bay, WI 54307-0448

Carroll D. Besadny
Secretary

July 20, 1988

File Ref 4430

CERTIFIED MAIL
Return Receipt Requested

Don Johnston
Peterson Builders, Inc.
101 Pennsylvania St.
Sturgeon Bay, WI 54235-0650

Subject: Peterson Builders, Inc. (PBI),
EPA ID# WID 096828975, Door County

Dear Mr. Johnston:

On Tuesday, July 12, 1988, a hazardous waste compliance evaluation inspection was conducted at the above referenced PBI facility. Present during the inspection were Sue Bangert and me, representing the Department of Natural Resources, and Gary Karnopp and you representing PBI. Enclosed is a copy of the completed inspection form.

As a result of the inspection, it was determined that the PBI facility at 107 E. Walnut St., Sturgeon Bay, is classified as a small storage facility as defined in NR 181, Wisconsin Administrative Code.

As discussed, minor (class 2) violations were noted during the inspection. These include:

- NR 181.42(1)(d) General Waste Analysis;
- NR 181.42(4) Contingency Plan;
- NR 181.42(5) Personnel Training;
- NR 181.42(6)(b) Operating Record;
- NR 181.42(6)(c) Reporting; and
- NR 181.42(8) Closure

To resolve these violations, and to provide the Department with more accurate information, please submit the following within 30 days of receipt of this letter:

1. Any and all analyses of the wastes generated at the PBI facilities from 1985 to date;
2. An updated, freestanding contingency plan, including an evacuation map and list and location of emergency equipment;
3. Revised personnel training records that include a description of the specific types of training required for each position;

4. A description of how PBI intends to record and organize future summary reports, and details of all incidents that require implementation of the contingency plan; and
5. Corrected quarterly reports from March 1984 to December 1986. (Note: Enclosed are the original quarterly reports that were sent to the Department from Peterson. Twelve originals are enclosed. You may recall that there is some confusion as to which facility the reports are for, because Section II was filled out. The Department has recorded to reported quantities for the storage facility WID 096828975. If the information that was provided in Section II of these records is incorrect, please draw a red line through all incorrect information, initial and date the page, and return the originals to me.)
6. An updated closure plan that includes a description of possible land uses after closure and steps required for decontamination of the facility.

In addition, we had discussed five topics unique to PBI. These were: (1) whether two plants on contiguous property could maintain separate EPA ID numbers; (2) how the EPA Part B permit modifications affect the DNR interim license; (3) EPA's response to the PBI referral case; (4) the criteria for "authorized personnel"; and (5) proper identification of di-n-octyl phthalate waste.

On Friday, July 15, 1988, I spoke to Bruno Staffen, EPA Region V (312-886-6173) in reference to the EPA ID number topic. Mr. Staffen indicated that if the street addresses for the plant locations are different, then two EPA ID numbers can be maintained. As you and I discussed, the street addresses for the small storage facility and plant II are not different. Hence, you must notify EPA of this situation. This will also involve a minor modification to the small storage area Part B permit application.

On Thursday, July 14, 1988, Sue Bangert discussed the concerns of the EPA Part B permit modification and DNR interim license with you. PBI must determine if the small storage facility meets all local approvals and requirements under Chapter 144.44, Wisconsin Statutes. Once this has been demonstrated, the DNR interim license will be modified to reflect the EPA Part B permit modifications.

Ms. Bangert will supply information pertaining to EPA's response to the referral case.

The criteria for "authorized personnel" in regard only to signing license applications and reports is spelled out in NR 181.55(3), (pg. 1194), Wis. Adm. Code. Perhaps this can be of some help to you.


Finally, di-n-octyl phthalate is not the same as bis (2-ethylhexyl) phthalate. The proper hazardous waste number for di-n-octyl phthalate is U107.

Mr. Johnston - July 20, 1988

3.

Thank you for your time and cooperation during the inspection. I look forward to receiving your quick response so that the Department can proceed in issuing the small storage license. Please call me at (414) 497-3107 if you have any questions.

Sincerely,



A. Nichol Mamolou
Hazardous Waste Specialist

NM:cm

Enc.

cc: Sue Bangert - HW-SW/3
Pat Kirsop - HW-SW/3

JAN 23 1987

Lake Mich. Dist.

Please read instructions on back before completing this form.

NOTE: One application form may be used for all activities at one facility location. Separate license fees are required, and separate licenses will be issued for each type of activity.

Application is hereby made to the Wisconsin Department of Natural Resources for a license to operate a hazardous waste facility under the provisions of section 144.44, Wis. Stats.

SECTION I - BASIC INFORMATION

1. Name of Facility Peterson Builders, Inc.		2. Name of Licensee (Owner or Operator) Peterson Builders, Inc.																					
3. Name of Property Owner Peterson Builders, Inc.		4. Name of Facility Operator Peterson Builders, Inc.																					
5. Authorized Contact (Name and Title) John L. Beales, Haz. Waste Manager Street, Route or Box (Mailing Address) 101 Pennsylvania Street, P.O. Box 650 City, State, Zip Code Sturgeon Bay, WI 54235-0650 Telephone Number (include area code) (414) 743-5577		6. Type(s) of Hazardous Waste Activity and Applicable License Fee(s) <input checked="" type="checkbox"/> All That Apply <input checked="" type="checkbox"/> Small Storage \$ 700.00 <input type="checkbox"/> Storage \$ <input type="checkbox"/> Treatment \$ <input type="checkbox"/> Incineration \$ <input type="checkbox"/> Landfill \$ <input type="checkbox"/> Surface Impoundment \$ <input type="checkbox"/> Other \$ Total \$ 700.00 (Include Fee Payment With This Application)																					
7. Facility Location <table border="1"> <tr> <td>1/4 of NE</td> <td>1/4 of NE</td> <td>Section 18</td> <td>Township 27N</td> <td>Range 26E</td> </tr> <tr> <td colspan="2">County Door</td> <td colspan="3">Town Name Sturgeon Bay</td> </tr> <tr> <td colspan="5">Address (Street or Route) 707 East Walnut Street</td> </tr> <tr> <td colspan="2">City Sturgeon Bay</td> <td colspan="3">No. of Acres 1</td> </tr> </table>		1/4 of NE	1/4 of NE	Section 18	Township 27N	Range 26E	County Door		Town Name Sturgeon Bay			Address (Street or Route) 707 East Walnut Street					City Sturgeon Bay		No. of Acres 1			8. EPA ID Number WID 096828975	
1/4 of NE	1/4 of NE	Section 18	Township 27N	Range 26E																			
County Door		Town Name Sturgeon Bay																					
Address (Street or Route) 707 East Walnut Street																							
City Sturgeon Bay		No. of Acres 1																					

SECTION II - DETAILED INFORMATION

9. Plan Approval (Complete a, b, or c below, whichever is applicable.) a. Date of Feasibility Report Approval _____ Date of Plan of Operation Approval _____ Date(s) of Construction Observation Report(s) Approval (if required) _____ b. Date of Combined Feasibility/Plan of Operation Report Approval _____ Date(s) of Construction Observation Reports Approval (if required) _____ c. For Small Storage Facility (as defined in s. NR 181.435) with an EPA RCRA Permit, date the permit was issued. 9/30/86		10. Proof of Financial Responsibility [s. NR 181.42 (10)] a. Has an Instrument for Proof of Financial Responsibility been Submitted? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, Provide Date Instrument was Submitted 12/02/86 If No, then the Instrument Must Be Submitted with this Application b. Type of Instrument Submitted Bond	
		11. Liability Insurance Requirements [s. NR 181.42 (11)] a. Documentation of adequate liability insurance for sudden accidental occurrences must be attached to this application for all hazardous waste facilities, in accordance with s. NR 181.42 (11). b. Documentation of adequate liability insurance for non-sudden accidental occurrences must be attached to this application for all hazardous waste surface impoundments or landfills, in accordance with s. NR 181.42 (11).	

SECTION III - CERTIFICATION

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is to the best of my knowledge and belief, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Signature <i>Jack Anderson</i>	Title Vice President	Date Signed 1/22/87
-----------------------------------	-------------------------	------------------------

(Refer to s. NR 181.55 (3) for information on authorized signatories. The signatory on this application must comply with the provisions of that subsection.)

LEAVE BLANK - DEPARTMENT OF NATURAL RESOURCES USE ONLY

Check No., Etc.	License Period	License No.(s)
Date & Initials	License(s) Issued	

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND



PETERSON BUILDERS, INC.

No. 044942

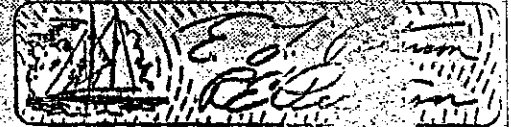
STURGEON BAY - WISCONSIN

79-210
759

PAY TO THE ORDER OF
DATE Jan. 21, 1987
CHECK NO. 044942
DISCOUNT
AMOUNT \$700.00
\$700.00
WISCONSIN DNR

PETERSON BUILDERS, INC.

Bank of Sturgeon Bay
STURGEON BAY, WIS



THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

⑈044942⑈ ⑆075902104⑆ 125⑈696⑈3⑈

PETERSON BUILDERS, INC.
STURGEON BAY, WISCONSIN

REMITTANCE VOUCHER
DETACH BEFORE DEPOSITING CHECK

DATE	REFERENCE	INVOICES	DEDUCTIONS	BALANCE
		700.00		\$700.00
583.004				

4/5/88
submitted to Carol Schmitt
by M. Mamolov, for processing

MAR 23 1988

SHS-12

Barbara Zellmer, Chief
Hazardous Waste Management Section
Bureau of Solid Waste Management
Wisconsin Department of
Natural Resources
P.O. Box 7921
Madison, Wisconsin 53707

Re: Referral for Administrative
Complaint
Peterson Builders, Inc.
WID 096 828 975

Dear Ms. Zellmer:

We have reviewed the February 26, 1988, request for an Administrative Complaint to be issued to Peterson Builders, Inc., Sturgeon Bay, Wisconsin. The United States Environmental Protection Agency (U.S. EPA) has determined that an Administrative Complaint is not appropriate at this time. This conclusion was based on our determination that the facility should not have been classified as a High Priority Violator (HPV) but as a Class I violator in accordance with the FY'86 Enforcement Priority Categories Summary. I am enclosing a copy of my memorandum dated October 10, 1985, which summarizes Region V's policy regarding this matter.

Since the date of the referral, it has come to our attention that the facility has adequately responded to WDNR's December 1, 1987, Notice of Violation and in response, the Department has issued a Return-to-Compliance letter.

U.S. EPA would like to thank the Department for notifying us of this issue and commends the WDNR for their success in bringing this facility into compliance. If you have any questions regarding this matter, please contact Lisa Pierard of my staff at (312) 886-7569.

Sincerely yours,
ORIGINAL SIGNED BY
WILLIAM E. MUNO

William E. Muno, Chief
RCRA Enforcement Branch

on, RCRA Program Management				ACTING	SEC. ADV.	SEC. ADV.	WMS	WMS
TYPE	NUMBER	DATE	STAFF	CHIEF	ADV.	ADV.	ADV.	ADV.
S.L.	88	3-21-88		3/23/88	AP	3/23/88		

cc: David Pflug - Lake Michigan District
Brenda Hagman - WDNR, Office of Environmental
Enforcement

bec. pat. polston



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

230 SOUTH DEARBORN ST.
CHICAGO, ILLINOIS 60604

REPLY TO THE ATTENTION OF:

5HS-JCK-13

17 FEB 1988

RECEIVED

FEB 19 1988

U.S. ENVIRONMENTAL PROTECTION AGENCY

Paul Didier, Director
Bureau of Solid Waste Management
Wisconsin Department of Natural Resources
P.O. Box 7921
Madison, Wisconsin 53707

Dear Mr. Didier: *Paul*

Enclosed is a copy of the First Quarter report of the FY'88 Wisconsin Hazardous Waste Management Program. This updates the State's activities since the year-end.

The State has shown improvements in licensing activities and appears to be on schedule for the first quarter. The Wisconsin Department of Natural Resources is encouraged to maintain this level of performance for FY'88.

Please review this document and feel free to make suggestions for revisions where we might have made errors of fact. If you have comments or corrections, please submit them within 15 calendar days. If we do not receive comments within this 15-day period, we will assume that none are forthcoming, and this report will be placed in our official file.

If you have any questions or comments, please direct them to Trish Polston, Wisconsin Project Officer, at (312) 886-6943.

Sincerely,

Bill

William H. Miner, Acting Chief
Solid Waste Branch

Enclosure

cc: Barbara Zellmer

*Paul -
The inspection
commitments are
critical for both our
programs
Bill*

Wisconsin Department of Natural Resources (WDNR)
Subtitle C Hazardous Waste Management Program
Status of State Performance For First Quarter FY'88

Based on Wisconsin's monthly statistical reports, Region V has compiled a summary of the Wisconsin Department of Natural Resources (WDNR) progress at first quarter toward meeting its Resource Conservation and Recovery Act (RCRA) Subtitle C Hazardous Waste Management Program grant commitments. The State has shown improvement in licensing activities since year-end and is on schedule for the first quarter. The State has fallen behind in all inspection categories, and of special concern are the Compliance Evaluation Inspections (CEIs) at land disposal facilities and storage/treatment facilities. These are recognized as priority inspections and critical components of the base RCRA program. Additionally, they are Regional Strategic Planning and Management System (SPMS) commitments. This is viewed by the Region as a short term problems which should be corrected by mid-year with increased State emphasis during the second quarter of FY'88. No significant problems were noted in the program areas of authorization or management.

AUTHORIZATION ACTIVITIES

At the end of the first quarter, Wisconsin received an extension on its revision application for RCRA Cluster I and II and some HSWA Cluster I provisions. The extension was necessary because of the time needed to consolidate U.S. EPA's comments and to resolve the professional engineer certification for closures issue and SQG mixture rule issues. Wisconsin is not applying for any major HSWA provisions this fiscal year. Wisconsin did submit its first quarter RASPR on time. That RASPR is currently under review.

ENFORCEMENT REPORTING

The State has improved the timeliness of their monthly reports. During the first quarter, Wisconsin has submitted the monthly CMEL reports either before or on the 20th of each month. The timeliness of the monthly report was brought up during the year-end discussions and the State has taken steps to correct this problem.

INSPECTIONS/ENFORCEMENT

Wisconsin is in the process of revising their inspection commitments based on the clean-up of the TSD inspection universe and the Region's final SPMS commitments. To date, the State has not reported any CEI inspections for TSDs or LDFs. The attached Chart A demonstrates the State's inspection activities for FY'88.

The Region is concerned about the inspection activity for the first quarter. CEI inspections at LDFs and TSDs are statutory mandates as well as SPMS commitments. These inspections are essential to a quality base RCRA program. These inspections should be completed prior to conducting additional generator inspections. In addition, there were no inspections conducted at commercial facilities and only one financial record review completed. The Region does not want a situation to develop where missed inspection commitments become a capability issue. As a corrective measure, WDNR must complete all first quarter and second quarter inspection commitments by March 31, 1988.

Wisconsin has identified seven other Class I violations during the first quarter. Initial actions were taken for 100% of the cases. The average number of days to initial action was 15, which is under the 30-day timeframe. The attached Chart B demonstrates Wisconsin's timely and appropriate enforcement activities for other Class I violations over a four quarter period, beginning January 1, 1987. When the most recent four quarters of data is compared to the year-end data, it appears that there is an increase in overdue other Class I cases, although this could be due to reporting lag. Overall, of the 65 cases identified, only 13.8% is overdue, which is in the acceptable range.

During the year-end discussions, two facilities were identified as having lost their liability insurance. Only one facility (Peterson Builders) is a RCRA permitted facility. This will be referred to the Region as a High Priority Violator (HPV) by the State by February 10, 1988. This Facility is being referred to the Region within 90 days of discovery since only U.S. EPA can enforce the permit. The State has developed an internal policy to handle enforcement regarding the liability insurance issue. This policy should also help prevent delays in the licensing process. There were no dynamic SNCs identified this quarter.

The corrective measures identified in the FY'87 Year-End Evaluation have been adequately addressed by WDNR. The State has responded with the status of the sixteen unresolved cases identified from the year-end audit. Currently, eight facilities have returned to compliance. The other remaining eight facilities are being handled by the Districts. Wisconsin now has developed a policy to ensure that RCRA permitted facilities are inspected for compliance with permit conditions.

PERMITTING/CLOSURES

The attached Chart C indicates the State's permitting/closure activities and commitments for FY'88. WDNR has put forth a good effort in licensing activities and is on schedule for the first quarter. If the State continues performing at this level, the State should be able to demonstrate improvement in licensing.

Some of the first quarter activities included issuing a storage/treatment license for the GE-Trout facility, and public notice for the incinerator license for U of W Arlington. The State appears to be on track for other milestone commitments as well this quarter.

The corrective measures identified in the FY'87 Year-End Evaluation are being pursued by WDNR. The closure plan approval for Land Reclamation appears to be on schedule and should be approved by March 31, 1988. The State is unsure if it will be able to issue an additional two storage/treatment licenses this FY, but will attempt to issue nine instead of seven.

MANAGEMENT

The Region look forward to receiving the State's request for supplemental funds to support personnel to handle financial record reviews.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

230 SOUTH DEARBORN ST.

CHICAGO, ILLINOIS 60604

17 FEB 1988

REPLY TO THE ATTENTION OF:

5H-12

Paul P. Didier, Director
Bureau of Solid Waste Management
Wisconsin Department of Natural Resources
P.O. Box 7921
Madison, Wisconsin 53707

Dear Mr. Didier:

Thank you for your January 11, 1988, letter with your comments on the FY'87 Year-End Evaluation of the Wisconsin Hazardous Waste Management Program. We appreciate all of your comments and concerns that you brought to our attention. Since there were no errors of fact, changes to the evaluation report were not warranted. We have addressed your comments in the enclosure. Wisconsin's letter and our response will be placed in the official file along with the evaluation report.

If the following responses do not adequately address your concerns, do not hesitate to contact Patricia Polston, Wisconsin Project Officer at (312) 886-6943.

Sincerely,

Basil G. Constantelos, Director
Waste Management Division

Enclosure

cc: Barbara Zellmer - w/enclosure
Brenda Hagman - w/enclosure

ppd → Barb Zellmer
any further followup
needed Barb.?

No Paul
2/22

FY'87 Year-End Evaluation Response

Authorization

Wisconsin had made notable improvements in fulfilling the Authorization commitments for FY'87. The Region recognizes the efforts that Wisconsin has put forth to improve the quality of draft revision applications and submitting material in a timely fashion. We feel that Wisconsin's performance under Authorization was adequately described in the Year-End evaluation.

The Region looks forward to the State assembly acting on the statutory provisions and having them become law during early 1988. The Region is committed to working with Wisconsin to ensure that all rule revisions necessary for implementation of State statutes are completed. The State would be able to issue State corrective action orders for violations of State authorities.

Compliance Monitoring and Enforcement

With respect to inspections at permitted facilities, the Region's position is that once a facility receives a permit, interim status is no longer applicable. Furthermore, it is appropriate for the State to act as federal agents and inspect for compliance with permit conditions at RCRA permitted facilities, but the State cannot take enforcement action on any permit violations discovered. This was the Region's intentions all along and other States do check compliance with permit conditions. To clarify this issue in FY'89, the State guidance documents can be modified to eliminate any confusion. In addition, even though this issue was discussed at year-end, it has had no adverse impact on the Capability Assessment or the State's performance evaluation. It appears that Wisconsin will be inspecting for compliance with federal permit conditions in FY'88, based on the State's policy developed regarding liability coverage. This policy should also serve to eliminate any future problems regarding this issue.

We appreciate your comment regarding regulation interpretation and application by investigators. In the future, we will try to provide more timely and specific feedback regarding this issue.

Licensing, Closures and Corrective Action

During the year-end, the Region and State had detailed discussions regarding the liability insurance issue and licensing commitments. The steps that Wisconsin has taken since the year-end in developing the enforcement policy memo addressing facilities not in compliance with liability coverage requirements should improve the situation. In addition, Wisconsin's plan to hire

personnel to perform financial record reviews should surface any liability deficiencies earlier in the licensing process. The procedures that Wisconsin is now taking toward the liability assurance issue for FY'88 seem to be an acceptable approach to this situation. The Region is looking forward to a productive year.

The Region views permitted facilities not in compliance with liability insurance as High Priority Violators (HPVs), and penalties will be assessed. In the case of Peterson Builders, the permit modification of September 30, 1986, was completed before knowledge of the liability insurance violation.

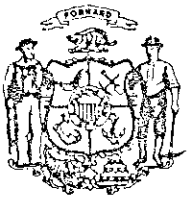
The Region has a three-fold approach to viewing the previous RCRA permitted facilities differently from the non-permitted facilities. On one hand, addressing the non-permitted facilities first is an environmentally sound approach. This would place conditions over facilities that had no other controls and possibly be an avenue for pursuing corrective action. Secondly, grant funds and credit have already been given in previous workplans to technical work completed when the RCRA permits were issued. Lastly, the RCRA permitted facilities have already been counted and applied toward federal permit commitments. The Region's preference is that facilities without an existing RCRA permit, and targeted for a license in FY'88, receive the final determination in FY'88. This would demonstrate the State's ability to issue new licenses and make more sense environmentally.

The Region did not have a problem with "how" Wisconsin notified regarding the missed land disposal closure for Land Reclamation, but with the timing. There was no advance warning that the closure plans for Land Reclamation could not be approved during FY'87. If the Region had sufficient warning, we could have negotiated another closure plan with another State to meet federal commitments. The Region recognizes the sufficient amount of time and effort that the State has put into the review of Land Reclamation closure plan. We are looking forward to a completed closure plan approval for Land Reclamation by March 31, 1988.

Management

The Region is now advised of your intentions to renegotiate the FY'88 grant work plan based on any funding cuts that are incurred. We also look forward to your request for supplemental funds to support personnel to handle financial record reviews.

RECEIVED
MAY 20 1988
U.S. ENVIRONMENTAL PROTECTION AGENCY
REGIONAL OFFICE
MILWAUKEE, WISCONSIN



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Lake Michigan District Headquarters
1125 North Military Avenue
P.O. Box 10448
Green Bay, WI 54307-0448

Carroll D. Besadny
Secretary

January 11, 1988

File Ref: 4430

Mr. Gary Higgins, Env. Coordinator
Peterson Builders, Inc.
P.O. Box 47
Sturgeon Bay, WI 54235-0047

Subject: Return to Compliance
Facility EPA ID #WID096828975

Dear Mr. Higgins:

This letter serves as written notice that the Department is discontinuing enforcement action in regard to my January 15, 1987 Notice of Noncompliance (NON) and Mr. Pflug's December 1, 1987 Notice of Violation (NOV). These letters were issued in response to alleged violations of Chapter NR 181 standards detected during a December 9, 1986 inspection of your 107 E. Walnut facility.

On December 18, you submitted complete documentation of closure costs showing that the facility is in compliance with NR 181.42(10)(d).

Because of your response in this matter, the Department will not take any future enforcement action at this time. Future violations however, may cause the Department to reevaluate this decision.

Thank you for your cooperation in these matters. If you have any questions in the future regarding hazardous waste management, feel free to call me at (414) 497-4054.

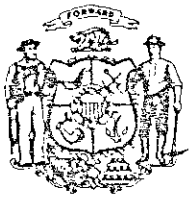
Sincerely,

A handwritten signature in dark ink, appearing to read "Donald Johnston", written over a horizontal line.

Donald Johnston
Hazardous Waste Specialist

DJ:cks

cc: P. Kirsop - SW/3
N. Mamolou - LMD



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES
Lake Michigan District Headquarters
1125 N. Military Avenue
P.O. Box 10448
Green Bay, WI 54307-0448

Carroll D. Besadny
Secretary

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

File Ref: 4190

December 1, 1987

Mr. E. L. Peterson, President
Peterson Builders, Inc.
P.O. Box 47
Sturgeon Bay, WI 54235-0047.

Dear Mr. Peterson:

Re: Notice of Violation
Chapter 144, Wisconsin Statutes
Facility EPA ID #WID096828975

This letter formally notifies the company that the Department has reason to believe that Peterson Builders, Inc., is in violation of Wisconsin's hazardous waste regulations at its 107 East Walnut Street facility. Specific violations of Wisconsin Administrative Code are as follows:

1. Section NR 181.42(10)(g), Wis. Adm. Code, - Failure to update proof of financial responsibility for closure;
2. Section NR 181.42(11)(d), Wis. Adm. Code, - Failure to submit adequate demonstration of liability insurance coverage, and
3. Section NR 181.42(10)(d), Wis. Adm. Code - Failure to submit complete documentation of closure costs.

Notification of these requirements were sent to the company in a July 16, 1987, letter from Mr. Paul Didier. An earlier notification for the complete documentation of closure costs was issued on January 15, 1987. Mr. Donald Johnston discussed these violations with Mr. Gary Higgins on October 6, 1987. To date no submittals have been received for review.

The Department received an application for an Initial Operation License on January 22, 1987. The above mentioned code requirements are also necessary to be submitted for the initial

Mr. E. L. Peterson - December 1, 1987

2

operation license. Until these violations are resolved, the Department cannot proceed with processing of the license application.

Please be advised that provisions of Chapter NR 181, Wisconsin Administrative Code, are enforceable under Chapter 144, Wisconsin Statutes. Section 144.74, Wisconsin Statutes, allows for forfeitures of not more than \$25,000 for each day of violation.

Please submit a written respond to this notice within 15 days of the date of this letter. Your response will be included in the Department's consideration of the need for further enforcement action for these violations.

If you have any questions regarding this matter, please call me at 414-497-6027.

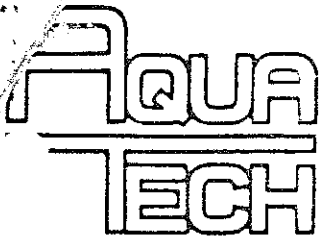
Sincerely,



David E. Pflug
Environmental Enforcement Coordinator

DEP:jm

cc: Pat Kirsop - SW/3
Donald Johnston - LMD



AQUA-TECH, INCORPORATED

140 South Park Street, Port Washington, Wisconsin 53074
Phone (414) 284-5746 or (414) 375-0407 (Metro Milw.)
(800) 451-5116 (Wisconsin) (800) 338-8504 (Outside Wisc.)

November 30, 1987

Mr. Dan Kresig
Peterson Builders, Inc.
101 Pennsylvania Street
Sturgeon Bay, WI 54235-0047

Dear Mr. Kresig:

Aqua-Tech, Inc. has received the following waste stream from you for review and disposal. The waste stream is listed below and identified by description as well as Aqua-Tech's waste stream number.

<u>Waste Name</u>	<u>Analysis</u>	<u>Cost</u>
F003 - 82 drums	\$800.00	\$200/drum = \$16,400
F005 - 8 drums	\$400.00	\$200/drum = \$ 1,600
F002 - 8 drums	\$400.00	\$200/drum = \$ 1,600
U028 - 2 drums	\$400.00	\$180/drum = \$ 360
Waste Water - 2 drums	\$400.00	\$200/drum = \$ 400
	<u>\$2,400</u>	<u>\$20,360</u>
	TOTAL COST FOR CLEAN-UP	\$22,760

Note: These prices are based on low levels of solids.

All waste streams are to be shipped in DOT approved containers. This is the responsibility of the generator. Peterson Builders' staff is to assist in the loading of the waste material into trucks operated by Aqua-Tech, Inc. (WID066888017). In the event of a logistical discrepancy, we reserve the right to use another qualified transporter at your approval. One hour loading time is allotted for each pickup. Any time in excess of this will result in a \$50 per hour demurrage fee levied against your firm. This measure is to insure expedient loading.

An additional part of our service is to provide you with the necessary labels and manifests required to transport the waste within all governing laws in effect.

The cost for our services, furnished labels and manifests, transportation and disposal is as stated in the preceding schedule plus a \$150 pickup fee.

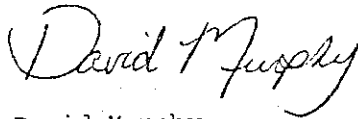
Mr. Dan Kresig
Peterson Builders, Inc.
November 30, 1987
Page Two

Any deviation of material from the stated constituents on the Hazardous Waste Profile Sheet can result in rejection or off-spec charges. These quoted prices are effective for 30 days.

To schedule a shipment, please call 1-800-451-5116.

Sincerely,

AQUA-TECH, INC.

A handwritten signature in cursive script that reads "David Murphy".

David Murphy
Regional Account Executive

DM/ekk

Enclosure

Request for Secondary Enforcement

Route to:

1. Program Supervisor D. Rossberg 11/9/87
2. Envir. Enf. D. Pfling 11/12/87
Reul 1/9 conf. call on EPA Record 71

Facility Name: Peterson Builders, Inc.
Facility Address: 107 East Walnut Street
Sturgeon Bay, WI 54956

Dave Hildreth ANA 11/20/87
Envir. Enf. 1 1

Permit, License, ID Number W10096828975

County Door

Facility Telephone Number (414) 743-5574

Responsible Official: Mr. Gary Higgins

Title: Manager, Industrial Engineering

Contact Person: Mr. Gary Higgins

Title: Manager, Industrial Engineering

Violations(s) Summary (Include Statute(s), Code(s), Date(s), Class I or II, and discussion if needed)

1. 181.42(10)(g) Failure to update proof of Financial Responsibility for Closure; Class I; Violation date = 11/04/87
2. 181.42(11)(d) Failure to submit adequate demonstration of Liability Insurance coverage; Class I; Violation date = 11/04/87
3. ~~181.42(10)(g)~~ Failure to submit an exemption request from Feasibility, Plan of Operation Report submittal or submit these reports as required by Interim License Modification letter (attached); Class II; Violation date = 12/9/86
4. 181.42(10)(d) Incomplete documentation of closure costs; Class I; Violation date = 12/9/86

See attached NOV issued for violations #3 & 4.

Primary Enforcement Actions Taken to Date (i.e., NON, Calls, Letters) Attach Copy Documenting Each

An NOV was issued on 1/20/87 for violations #3 & 4 above.

On 1/22/87, Mr. John Beales, Corporate Counsel called and said he'd need time to resolve violation #4. Z told him to do it ASAP.

Comments (Past Violations, Possible Solutions, Excuses, etc.)

These violations ^{may} place PBZ in the High Priority Violator status (HPV).

A new person has taken over responsibility for Envir. compliance (Mr. Gary Higgins). Z met with Mr. Higgins on 10/6/87, informed him of the violations. Z expect Mr. Higgins will take care of the violations, but SWB has mandated that enforcement actions be taken.

Action Requested

(X) NOV ~~Enforcement Conference~~ () Show Cause () Order (X) Referral EPA

Person Requesting Action: Donald Johnston Date: 11/6/87 Telephone Number (414) 497-4054

Request Enf. Conf, but condition letter to say if violations are resolved (and proof submitted) by 2 or 3 weeks, conference can be cancelled.

Environmental Enforcement:

Revised 11/20/87 Type and Date of Action NOV 12/1/87

Comments:

HAZARDOUS WASTE COMPLIANCE MONITORING
AND ENFORCEMENT SUMMARY
Form 4430-5

Department of Natural Resources

Rev. 9-87

A. GENERAL INFORMATION

Date Sent to Bureau	Date Received by Bureau	HW Section Data Entry Date	Initials	Entrack Data Entry Date	Initials
Name of Facility <i>Peterson Builders Inc.</i>		EPA ID Number <i>W10096828975</i>		FID Number <i>415011410</i>	
Street or Route (Facility Location) <i>107 East Walnut Street</i>		Date of Contact <i>11/4/87</i>		Time of Contact <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	
City, State, Zip Code <i>Sturgeon Bay, WI 54956</i>		Telephone Number <i>(414) 743-5574</i>		District/County <i>LMD/Door</i>	
Type of Contact <input type="checkbox"/> Field Inspection <input type="checkbox"/> Conference <input checked="" type="checkbox"/> Other <i>Record Review</i>		Name of Contacts and Title or Position (Enter none if no contact) <i>None</i>			

B. FACILITY STATUS (Check box for inspection completed (Eval. Type 1-(CEI). Check box(es) for current status with other eval. types.)

<input type="checkbox"/> Treatment	<input type="checkbox"/> Generator-Acute Toxics > 1 kg	<input type="checkbox"/> Under Review for Activity (Specify Recommended Status)
<input checked="" type="checkbox"/> Storage	<input type="checkbox"/> Generator-Sm. Quant. > 100 kg	<input type="checkbox"/> 10 Day Transfer Facility
<input type="checkbox"/> Disposal	<input type="checkbox"/> Generator-Very Sm. Quant. < 100 kg	<input type="checkbox"/> Treatment (Code) _____
<input type="checkbox"/> Transporter (Lic. # _____)	<input type="checkbox"/> Closed/Ceased Operations	<input type="checkbox"/> Other _____
<input type="checkbox"/> Generator-Large Quant. > 1000 Kg	<input type="checkbox"/> Non-Hazardous Waste Entity	

C. REGULATORY STATUS CHANGE

REPORTING STATUS CHANGE

<input type="checkbox"/> This is a Change in Status	<input type="checkbox"/> Change Reporting Status to Non-Reporting	<input type="checkbox"/> Change Reporting Status to Annual
---	---	--

D. EVALUATION TYPE (Check all that apply)

<input type="checkbox"/> 1. Compliance Evaluation Insp.	<input type="checkbox"/> 6. Immediate Threat Response	<input type="checkbox"/> 11. Case Development
<input type="checkbox"/> 2. Sampling Insp.	<input type="checkbox"/> 7. Licensing Evaluation	<input type="checkbox"/> 12. Land Ban Inspection
<input checked="" type="checkbox"/> 3. Record Review	<input type="checkbox"/> 8. Activity Verification	<input type="checkbox"/> 13. O & M Inspection
<input type="checkbox"/> 4. Groundwater Monitoring Evaluation	<input type="checkbox"/> 9. Closure/Long Term Care	<input type="checkbox"/> 14. Other _____
<input type="checkbox"/> 5. Follow-up Insp. (Date _____)	<input type="checkbox"/> 10. Routine Surveillance	

Comments: *Review based on information sent to LMD by Linda Lynch-sw/3*

E. ENFORCEMENT ACTIONS (List violation and/or enf. type separately)

Viol. Type Class Code	Enf. Type Code	Violation Discovery Date MM DD YY	Date Issued MM DD YY	Response Due MM DD YY	Actual Comp. MM DD YY	Enf. Stat. Code	NR 181 Code Citation	Additional Information
10	NOV	11-04-87	- -	- -	- -	X	181.42(10)(b)1.	Failure to update proof of fin. resp for closure
11	NOV	11-04-87	- -	- -	- -	X	181.42(11)(d)	Failure to submit adequate demonstration of liability insurance coverage

Comments: *These violations put PBI in the (HPV) category.*

SIGNATURES AND ATTACHMENTS

Signature(s) <i>Donnell J. Smith</i>	Date <i>11/6/87</i>
Attachments <i>Speed memo from Linda Lynch</i>	Reviewed By District Date

Distribution: Copy 1 - District Copy 2 - BSWM Copy 3 - BSWM Copy 4 - Area



THE STATE HISTORICAL SOCIETY OF WISCONSIN
816 State Street Madison, Wisconsin 53706 608/262-3266

H. Nicholas Muller III, Director

HISTORIC PRESERVATION DIVISION

July 23, 1986

Mr. David A. Stringham, Chief
United States Environmental Protection
Agency, Region 5
230 South Dearborn Street
Chicago, Illinois 60604

SHSW: #86-0999
RE: Peterson Builders Inc. Hazardous
waste storage site

RECEIVED

JUL 29 1986

JUL 29 1986
U.S. EPA, REGION V

Dear Mr. Stringham:

We have reviewed the above referenced project as required for compliance with Section 106 of the National Historic Preservation Act and the "Procedures for the Protection of Historic and Cultural Properties" (36 CFR 800).

There are no properties listed in the National Register of Historic Places located within the area of the proposed undertaking. Furthermore, we are not aware of any properties that may be eligible for the National Register in this area. No further actions are necessary for compliance with Section 106 and 36 CFR 800 provided that there are no revisions to current project plans.

If you have any questions on this matter, please contact me at (608) 262-2732.

Sincerely,

Richard W. Dexter
Chief, Compliance and Archeology
Section

RWD:1kr

0581a

RECEIVED

JUL 25 1986

SOLID WASTE DIVISION
U.S. EPA, REGION V

095-54

RCRA INSPECTION OVERSIGHT

I. Installation: PETERSON BUILDERS INC.

EPA ID.#: WID 096 828 975

Check Either: Major Installation
 X Non-Major Installation

Installation Activities:
 Generator
 Transporter
 X Treatment/Storage/Disposal Facility PERMITTED

Authorized State?: Yes X No

II. Inspector: DONALD JOHNSTON

Organization: WDNR - LMD

Telephone: (414) 497-4054

III. Evaluator: RICHARD KARL

Organization: US EPA - REGION V

Telephone: (312) 886-4448

IV. Date of Inspection: 10/14/85 Time: (from) 1:00 (to) 3:45

V. Inspection Evaluation

	Yes	No	Remarks
A) Pre-inspection Preparation			
1) Did the inspector have a complete set of RCRA NR181 regulations with him?	<u> ✓ </u>	<u> </u>	<u>FACILITY HAS RCRA PART B PERMIT</u> RCRA PART A PERMIT
2) Did the inspector review the Part A application or effective permit before beginning the inspection?	<u> ✓ </u>	<u> </u>	<u> </u>

PLEASE FORWARD A COPY OF THE FRONT SHEET ONLY OF THIS EVALUATION FORM WITHIN 5 DAYS FROM THE DATE OF INSPECTION TO Ken Skahn, SHW, STU #2. (THE ORIGINAL SHOULD GO TO THE STATE COMPLIANCE OFFICER FOR ENTRY INTO IDMS AND FILING IN THE INSTALLATION COMPLIANCE FILE.)

- 3) Did the inspector have the appropriate personal safety equipment?

Yes ☒ No ☐ Remarks _____

B) Owner/Operator Interview

- 1) Did the inspector present an identity document showing the authority to perform RCRA inspections?

Yes ☐ No ☒ Remarks _____

- 2) Did the inspector advise the owner/operator of the purpose of the inspection and briefly describe the agenda?

Yes ☒ No ☐ Remarks _____

- 3) Was the inspector helpful to the owner/operator by giving explanations and guidance?

Yes ☒ No ☐ Remarks _____

C) Document Inspection

- 1) Documents reviewed by the inspector:

- a) Part A application or issued permit

Yes ☒ No ☐ Remarks _____

- b) Operator inspection log and schedule

Yes ☒ No ☐ Remarks _____

- c) Personnel training record

Yes ☒ No ☐ Remarks _____

- d) Operating record

Yes ☒ No ☐ Remarks _____

- e) Contingency plan

Yes ☒ No ☐ Remarks _____

- f) Waste analysis plan

Yes ☒ No ☐ Remarks _____

- g) Closure & Post Closure plan

Yes ☒ No ☐ Remarks _____

- h) Financial Instruments

Yes ☒ No ☐ Remarks _____

- i) Manifests

Yes ☒ No ☐ Remarks _____

- j) Ground Water Monitoring Reports

Yes ☐ No ☐ Remarks N/A

- k) Other _____

Yes ☐ No ☐ Remarks _____

	Yes	No	Remarks
2) Were documents reviewed thoroughly?	<input checked="" type="checkbox"/>		
D) Facility Inspection			
1) Did the inspector observe all required items and correctly record the observations?	<input checked="" type="checkbox"/>		
2) Did the inspector ask pertinent questions regarding the processes and wastes management practices used at the facility?	<input checked="" type="checkbox"/>		
3) Did the inspector ask questions about non-regulated activities of the facility?	<input checked="" type="checkbox"/>		ONLY AS THEY RELATE TO REGULATE ACTIVITIES
4) Did the inspector identify any activities which are regulated but not on the Part A or Permit?	<input checked="" type="checkbox"/>		QUESTIONS ON INCREASING DESIGN CAPACITY AND ADDING NEW waste streams to the Part B
E) Knowledge of the Regulations			
1) Was the inspector knowledgeable of NR 181 NR 181 regulations applicable to the facility?	<input checked="" type="checkbox"/>		
2) Was the inspector aware of recent amendments to the regulations that may affect the conduct of this inspection?	<input checked="" type="checkbox"/>		A little weak on some of the New amendments
3) Was the inspector able to answer questions accurately?	<input checked="" type="checkbox"/>		
4) Did the inspector commit to get answers to questions that couldn't be answered during the inspection?	<input checked="" type="checkbox"/>		
F) Completion of Inspection Forms			
1) Did the inspector fully complete the inspection forms during the inspection?	<input checked="" type="checkbox"/>		

	Yes	No	Remarks
2) Did the inspector make adequate use of written comments to clarify the report?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3) Were the inspector's comments factual observations rather than opinion?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4) Does the inspector's report accurately reflect your observations at the facility?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

G) Remarks

- 1) What is your overall assessment of the inspection and the inspection report?

ACCEPTABLE PERFORMANCE - THOROUGH KNOWLEDGE
OF THE FACILITY OPERATION

- 2) What, if anything, would you recommend that the inspector do differently?

PRESENT AN IDENTITY DOCUMENT SHOWING
THE AUTHORITY TO PERFORM RCRA-NR 181
INSPECTIONS

- 3) Additional remarks from other sections:

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION V

OCT 10 1985

DATE:
SUBJECT: FY'86 Enforcement Priority Categories

FROM: W.E. Muno, Chief
RCRA Enforcement Section

Wm. E. Muno

TO: Chris Christenson, Chief
State Programs Section

Here is a summary of the FY'86 enforcement priority categories for facilities, including generators, transporters, and treatment, storage and disposal facilities (TSD's):

High Priority Violators: defined as TSD's who:

1. Are Significant Noncompliers (defined below), or
2. Have one or more Class I violations of 40 CFR Subparts G or H; and
 - a. Pose likelihood of exposure to hazardous waste, or have caused actual exposure; or
 - b. Have realized substantial economic benefit as a result of noncompliance; or
 - c. Are recalcitrant or chronic violators (including handlers who are violating schedules in orders or decrees.

Significant Noncompliers (SNC's): land disposal facilities with **Class I** F, G, or H violations. All SNC's are High Priority violators.

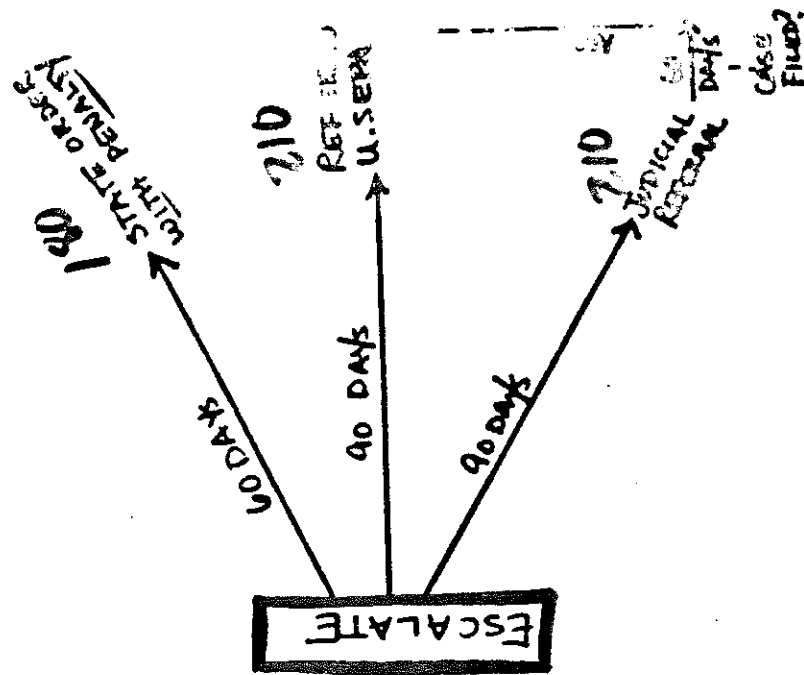
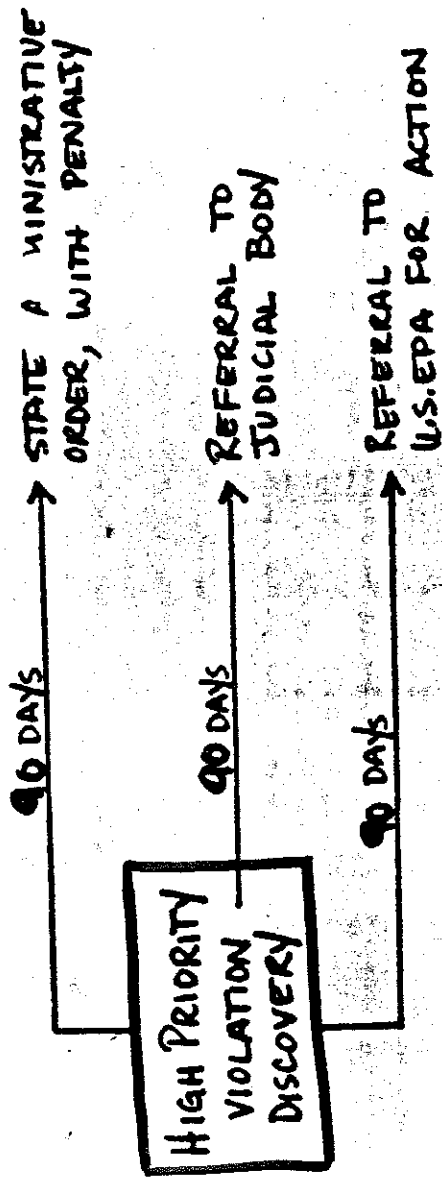
Class I violators: other than High Priority Violators with Class I's, e.g. manifests, aisle space.

Class II violators: other than High Priority Violators with Class II's.

Attached is a time line for the enforcement actions against such facilities, to be initiated by our states.

Attachment

cc: RCRA Enforcement Section Staff



180
RTC or
Comp. Sch

30 DAYS
LOW
NOV

CLASS I VIOLATION
DISCOVERY

Do D date of discovery = inspection or record review
30 days allowed for lab analyses



HISTORIC PRESERVATION DIVISION

March 30, 1984

Mr. Karl J. Klepitsch, Jr., Chief
Waste Management Branch
U.S. Environmental Protection Agency
230 South Dearborn St.
Chicago, Illinois 60604

SHSW: 262-84
RE: Peterson Builders, Inc.
Hazardous Waste Management Permit

Dear Mr. Klepitsch:

We have reviewed the above referenced project as required for compliance with Section 106 of the National Historic Preservation Act and the "Procedures for the Protection of Historic and Cultural Properties" (36 CFR 800).

There are no properties listed in the National Register of Historic Places located within the area of the proposed undertaking. Furthermore, we are not aware of any properties that may be eligible for the National Register in this area. No further actions are necessary for compliance with Section 106 and 36 CFR 800 provided that there are no revisions to current project plans.

If you have any questions on this matter, please call me at (608) 262-2732.

Sincerely,

Richard W. Dexter
Chief, Registration and Compliance
Section

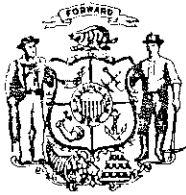
RWD:dk

RECEIVED
APR 02 1984
WASTE MANAGEMENT
BRANCH

THE STATE HISTORICAL SOCIETY OF WISCONSIN

816 STATE STREET - MADISON, WISCONSIN 53706 RICHARD A. ERNEY, DIRECTOR

69527



State of Wisconsin / DEPARTMENT OF NATURAL RESOURCES
Lake Michigan District Headquarters
1125 N. Military Ave.
P.O. Box 3600
Green Bay, WI 54303-1208

Carroll D. Besadny
Secretary

April 27, 1983

File Ref: 4430

Mr. John Beales
Peterson Builders Inc.
101 Pennsylvania Street
Sturgeon Bay, WI 54235

Dear Beales:

Re: Inspection Results - Peterson Builders Inc.
WID 096828975 and WID 006139349

Thank you for meeting with Rick Karl and myself on April 12, 1983 to conduct an inspection at the above referenced facilities. During the meeting the April 8, 1983 EPA letter to you outlining Part B submittal deficiencies was reviewed. An EPA submittal date for those items was set at May 30, 1983.

To date the submittal requirements specified in George Kraft's February 17, 1983 and my March 23, 1983 letter's have not been received by this office. The submittal date for this information is hereby extended to May 1, 1983. At that time a decision to grant or deny an interim license as a hazardous waste storage facility per NR 181 will be made by this office.

At the time of inspection the following was observed:

1. The operating record was not being kept at the storage facility but was located in the managers office up the street. Per NR 181.42(6)b(1), a copy of the operating record shall be kept at the facility. In addition the inspection of fire extinguishes and spill equipment should be added to the inspection schedule/log which is also a part of the operating record.
2. Two drums were being filled outside the print shop, one marked for thinner and one marked paint. What is done with the waste paint sludge which is separated from the thinner and is this a hazardous waste? What is done with the water based paint sludge generated from the bottom of the water wall paint booth? Please submit any waste analysis conducted on these two waste streams.

RECEIVED
MAY 2 1983

WASTE MANAGEMENT
BRANCH

095-10

Mr. John Beale - April 27, 1983

3.

If you have any questions contact me at 414-497-4397.

Sincerely,



James Reyburn
Hazardous Waste Specialist

JR:cks

cc: Bureau of Solid Waste - SW/3

→ Richard Karl, US-EPA

Region I

230 S. Dearborn

Chicago, Ill. 60604

RECEIVED
WASTE MANAGEMENT
BRANCH

gus

AUG 02 1982

5HW-TUB

E.L. Peterson, President
Peterson Builders, Inc.
101 Pennsylvania Street
Post Office Box 47
Sturgeon Bay, Wisconsin 54235

Re: Peterson Builders, Inc.
Consent Agreement and Final Order
EPA ID No. WI D096828975
Docket No. V-W-82-R-015

Dear Mr. Peterson:

This is to acknowledge receipt of the Consent Agreement and Final Order signed by you. A fully executed copy of the Consent Agreement and Final Order is enclosed for your files.

Your cooperation in resolving this matter is appreciated.

Very truly yours,

William H. Miner, Chief
Technical, Permits and Compliance Section

Enclosure

cc: Bill Rock
Wisconsin Department of Natural Resources

bcc: Dimock, w/enclosure
Karl, State Implementation Officer, w/enclosure
Schulteis, w/enclosure
Regional Hearing Clerk, w/original

BMINER/dmr

5HW-TUB

8-2-82

6-6135

WAM
8/2/82

REGION V

IN THE MATTER OF:

PETERSON BUILDERS INC.
STURGEON BAY, WISCONSIN 54235

EPA ID NO. WID096828975

V-W- 82 R-015

DOCKET No. V-W-82-R-

CONSENT AGREEMENT
AND
FINAL ORDER

A Complaint was filed pursuant to Section 3008(a)(1) of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, (RCRA or the Act), 42 U.S.C. 6928(a)(1), and the Environmental Protection Agency's Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR Part 22. The Complainant is the Director of the Waste Management Division, Region V, United States Environmental Protection Agency (hereinafter EPA). The Respondent is Peterson Builders Inc.

The parties to this action being desirous to settle this action enter into the following stipulations:

1. Respondent has been served with a copy of the Complaint (with notice of an opportunity for a hearing) on this matter; the Regional Administrator has jurisdiction over this matter, pursuant to Section 3008 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6928.

2. Respondent owns and operates an existing hazardous waste management facility, as defined by 40 CFR 260.10.

3. Respondent submitted a notification of hazardous waste activity, pursuant to 42 U.S.C. 6930, on November 19, 1980.

4. Respondent filed a Part A permit application with USEPA for operation of a hazardous waste management facility on July 29, 1981.

5. Respondent neither admits nor denies any other allegation in the Complaint.

ORDER

Based upon the foregoing stipulations, the parties agree to the entry of the following Final Order in this matter:

A. Respondent shall, cease all treatment, storage or disposal of any hazardous waste except such treatment, storage or disposal at the facility as shall be in complete compliance with the Standards Applicable to Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities, 40 CFR Part 265; and

B. Respondent shall fully comply with the Consolidated Permit Regulations, 40 CFR Parts 122 and 124, as if Respondent had filed a timely "Notification of Hazardous Waste Activity" pursuant to Section 3010 (a) and submitted Part A of a permit application as required by those regulations; and

C. Respondent shall fully comply with Standards Applicable to Generators and Transporters, 40 CFR 262 and 263, respectively.

D. The Part A permit application submitted by Respondent on July 29, 1981 shall pursuant to 40 CFR 122.22(a)(3), be accepted as if timely filed.

Notwithstanding any other provision of this Order, an enforcement action could be brought pursuant to section 7003 of RCRA or other statutory authority should the USEPA find that the handling, storage, treatment, transportation or disposal of solid waste or hazardous waste at the facility presents an imminent and substantial endangerment to human health or the environment.

Agreed to this 20th day of July, 1982.

PETERSON BUILDERS, INC.

Ellsworth L. Peterson
Respondent Ellsworth L. Peterson

President
Title

Agreed to this 27th day of July, 1982.

Nasil G. Constantelos
Nasil G. Constantelos
Director, Waste Management Division
Complainant

It being Agreed, it is so ORDERED this JULY 29th day of _____, 1982.

Valdas V. Adamkus
Valdas V. Adamkus
Regional Administrator



SHIP DESIGNERS
AND BUILDERS

Peterson Builders, Inc.

STURGEON BAY, WISCONSIN 54235-0047
101 Pennsylvania Street, P.O. Box 47

(414) 743-5577
TELEX 26-3423

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

July 20, 1982

United States Environmental Protection Agency
Region V
111 West Jackson Blvd.
Chicago, Illinois 60604

Attn: Mr. Basil G. Constantelos, Director
Waste Management Division

Ref: Your 5HW-TUB of July 12, 1982, re Compliance Order and
Consent Agreement

Encl: (1) Consent Agreement and Final Order, Docket No. V-W-82-R

Gentlemen:

Per your request, enclosure (1) has been signed and is being
returned for your information and file.

Very truly yours,
PETERSON BUILDERS, INC.

E. L. Peterson
President

ELP/nc

RECEIVED

JUL 23 1982

WASTE MANAGEMENT BRANCH
EPA, REGION V

JUL 12 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

WID 096828975
TSD
WID 006139349
not

Ellsworth Peterson
Registered Agent for
Peterson Builders Inc.
101 Pennsylvania St.
Sturgeon Bay, Wisconsin 54235

Re: Compliance Order and Consent Agreement

Dear Sir:

Enclosed please find a Compliance Order which specifies this Agency's determination of certain violations by your company of the Resource Conservation and Recovery Act (RCRA or the Act) as amended, 42 U.S.C. 6901 et seq., based on information in our files about your facility, at 107 E. Walnut, Sturgeon Bay, Wisconsin. The Compliance Order states the reasons for such a determination. In essence, the facility does not have a permit and has not achieved interim status under Section 3005 of RCRA, because a timely permit application and notification of hazardous waste activity under Section 3010 RCRA were not filed with United States Environmental Protection Agency (EPA). This Compliance Order is issued pursuant to Section 3008 of RCRA (42 U.S.C. 6928).

Accompanying the Compliance Order is a Notice of Opportunity for Hearing. Should you desire to contest the Compliance Order, a written request for a hearing is required to be filed with the Regional Hearing Clerk within 30 days from receipt of this Compliance Order. A copy of your hearing request should be sent to Babette Neuberger, Office of Regional Counsel, United States Environmental Protection Agency, 230 S. Dearborn Street, Chicago, Illinois 60604. Also enclosed is a Consent Agreement and Final Order. Should you agree to this settlement, please sign it and return it to the person named below.

The proposed settlement in this administrative action will allow you to continue to operate your facility subject to the conditions of the Final Order. The Agency believes that it will be in the public interest to allow your facility to continue to operate subject to the Order's conditions, even though your facility has failed to achieve interim status under Section 3005(e) of RCRA. Entry of this Order does not grant your facility interim status, but the Agency will refrain from further enforcement action, and the facility will be allowed to operate if the Order's conditions are complied with until a final determination is made on your permit application pursuant to 40 CFR 122. The Order does not protect against action by a third party.

If you have any questions or desire to request an informal conference, for the purpose of settlement, please contact Mr. Richard Karl at (312) 886-7447 or at RCRA Activities, Post Office Box A3587, Chicago, Illinois 60690.

Sincerely,

Basil S. Constantelos, Director
Waste Management Division

cc: Robert Krill
Wisconsin Department of Natural Resources
Mary Ann Sord
Wisconsin Department of Justice

bcc: Babette Heuberger
Office of Regional Counsel
Mary Langer
Regional Hearing Clerk
TPCS Secretary

JES Office of Regional Counsel
DAH act cc 7/8/82

INITIALS	DATE	TYPIST	AUTHOR	PEU CHIEF	STU #1 CHIEF	STU #2 CHIEF	TPS CHIEF	WMB CHIEF	ADMIN DIRECTOR
		<i>fyg</i>	<i>R. Karl</i>			<i>Benosch</i>			<i>7/12</i>
		<i>7/6/82</i>	<i>7/6/82</i>			<i>7/6/82</i>			<i>7/12</i>

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION V

IN THE MATTER OF:

PETERSON BUILDERS INC.
STURGEON BAY, WISCONSIN 54235

EPA ID. No. WID096828975

DOCKET No. V-W-82-R-_____

COMPLAINT

V-W- 82 R- 015

COMPLAINT

This Complaint is filed pursuant to Section 3008(a)(1) of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, (RCRA or the Act), 42 U.S.C. 6928(a)(1), and the United States Environmental Protection Agency's Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR Part 22. The Complainant is the Director for the Waste Management Division, Region V, United States Environmental Protection Agency (hereinafter EPA). The Respondent is Peterson Builders Inc.

Based upon information available to EPA, it has been initially determined that the Respondent is in violation of certain requirements of RCRA. Specifically, Respondent has been determined to be in violation of 42 U.S.C. 6925, in that Respondent owns and operates an existing hazardous waste management facility Peterson Builders Inc. as defined by 40 CFR 260.10, which does not have a permit or interim status. Respondent has not achieved interim status because it failed to submit a timely notification pursuant to 42 U.S.C. 6930 and a timely permit application pursuant to 42 U.S.C. 6925(b) and 40 CFR 122.22, as required by 42 U.S.C. 6925(e) for interim status.

DETERMINATIONS

1. Respondent owns and operates a facility located at 107 Walnut Street, Sturgeon Bay, Wisconsin. Respondent is a Wisconsin corporation whose Registered Agent in Wisconsin is Ellsworth Peterson, 101 Pennsylvania Street, Sturgeon Bay, Wisconsin 54235.

2. Section 3005 of Subtitle C of the Act provides, in part, that:

"the Administrator (of the Environmental Protection Agency) shall promulgate regulations requiring each person owning or operating a facility for the treatment, storage, or disposal of hazardous waste identified or listed under this subtitle to have a permit issued pursuant to this section. (After the effective date of the regulations) the treatment, storage, or disposal of any such hazardous waste is prohibited except in accordance with such a permit." Material in parenthesis added.

3. Regulations requiring each person owning or operating a facility for the treatment, storage, or disposal of hazardous waste to have a permit issued pursuant to Section 3005 were promulgated by the Administrator on May 19, 1980, and are codified at 40 CFR Parts 122 and 124. The effective date of these regulations is November 19, 1980.

4. Section 3005(e) of the Act provides that an owner or operator of a facility shall be treated as having been issued a permit pending final administrative disposition of his/her permit application provided that: (1) the facility was in existence on November 19, 1980; (2) the requirements of Section 3010(a) of the Act concerning notification of hazardous waste activity have been complied with, and (3) application for a permit has been made. This statutory authority to operate is known as interim status. EPA regulations implementing these provisions are found at 40 CFR Part 122.

5. On or after November 19, 1980, Peterson Builders Inc. has stored F005 waste which is listed as hazardous waste under Section 3001 of the Act, without a permit and without having achieved interim status, in violation of Section 3005(a) of the Act. Interim status was not achieved because Respondent failed to submit notification by August 18, 1980, as required by 42 U.S.C. 6930. Interim status was also not achieved because Respondent failed to submit Part A of the application for a permit by November 19, 1980 as required by 40 CFR 122.22. Respondent filed a notification pursuant to Section 3010 of RCRA on November 19, 1980. Part A of the permit application was filed on July 29, 1981.

6. Notwithstanding the violation of the requirements of Section 3005(a) of the Act by Peterson Builders Inc., the continued operation of the facility is determined to be in the public interest:

- (a) for a limited period of time until a final decision on its permit application has been made by USEPA; and
- (b) if in complete compliance with the Standards Applicable to Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities, 40 CFR Part 265; and
- (c) if in complete compliance with the conditions set forth in this Complaint. Such operation is determined to be in the public interest.

ORDER AND CONDITIONS
FOR CONTINUED OPERATION

Respondent having been initially determined to be in violation of 42 U.S.C. 6925, the following Compliance Order pursuant to 42 U.S.C. 6928(a) (1) is entered:

- A. Respondent shall immediately upon receipt of this Complaint cease all treatment, storage, or disposal of any hazardous waste except such storage, at the facility as shall be in complete compliance with the Standards Applicable to Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities, 40 CFR Part 265; and
- B. Respondent shall fully comply with the Consolidated Permit Regulations, 40 CFR Parts 122 and 124; as if Respondent had filed a timely "Notification of Hazardous Waste Activity" pursuant to Section 3010 (a) and submitted Part A of permit application as required by those regulations.
- C. Respondent shall fully comply with the Standards Applicable to Generators, 40 CFR Part 262.

Notwithstanding any other provision of this Order, an enforcement action could be brought pursuant to section 7003 of RCRA, or other statutory authority, should the USEPA find that the handling, storage, treatment, transportation or disposal of solid waste or hazardous waste at the facility presents an imminent and substantial endangerment to human health or the environment.

NOTICE OF OPPORTUNITY FOR HEARING

Each of the above named Respondent(s) is hereby notified that the above Order may become final (or a default Order entered upon motion) unless said person has requested in writing a public hearing no later than 30 days from the date this Order is served. You have the right to request a public hearing, to contest any material factual allegation set forth in the Complaint or the appropriateness of the proposed penalty and any compliance schedule. In the event that you wish to request a hearing, and to avoid having the Compliance Order become final without further proceedings, you must file a written answer to this Complaint with the Regional Hearing Clerk, U.S. EPA Region V, 230 South Dearborn Street, Chicago, Illinois 60604, within 30 days of your receipt of this notice. A copy of this answer, and any subsequent document filed in this action should be sent to Office of Enforcement Counsel, Regional Counsel's Office at the same address to the attention of Babette Neuberger. Respondent's answer should clearly and directly admit, deny, or explain each of the factual allegations of which Respondent has any knowledge.

Said answer should contain (1) a definite statement of the facts, circumstances or arguments which constitute the grounds of defense, and (2) a concise statement of the facts which you intend to place at issue. The denial of any material fact or the raising of any affirmative defense shall be considered as a request for a hearing. A copy of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits accompanies this complaint (40 CFR Part 22, 45 Federal Register 24367 April 4, 1980; as amended by 45 Federal Register 79898 December 2, 1980). These regulations are applicable to all proceedings to this administrative action including the filing of any answer.

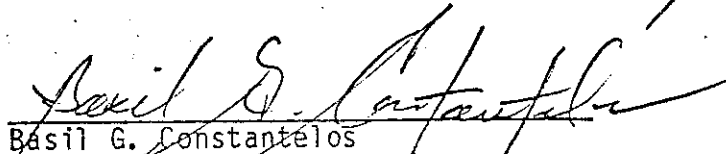
SETTLEMENT CONFERENCE

Whether or not you request a hearing, you may confer informally, with USEPA concerning (1) whether the alleged violations, in fact, occurred as set forth above, or (2) the appropriateness of the compliance schedule.

You may request an informal settlement conference at any time by contacting this office. However, any such request will not affect the 30-day limit for responding with an answer to this Complaint, and requesting a formal public hearing on the violations alleged therein. USEPA encourages all parties to pursue the possibilities of settlement through informal conferences.

Request for an informal conference may be made by telephone to Mr. Richard Karl at the above named address, telephone number (312) 886-7447.

Signed this 12th day of July, 1982.



Basil G. Constantelos
Director, Waste Management Division
Complainant
U.S. Environmental Protection Agency
Region V

NOTIFICATION OF TREATMENT RESTRICTIONS FOR LAND DISPOSAL RESTRICTED WASTE STREAMS

Manifest No. W1162125

Waste Codes F003 - AA008462

This serves as notification to Industrial Fuels
(and Diapers.) Restrictions set forth in 40 CFR 268.
are applicable to this waste stream.

that the above-referenced waste stream is affected by the U.S. EPA
The following checked ☒ substances and treatment standards are

40 CFR Part 268 Appendix II

Constituents of F001-F005 Spent Solvent Wastes	Waste Treatability for F001 - F005 Spent Solvent Wastes (mg/l)		
	Wastewater	Technology Base	All Other
<input type="checkbox"/> Acetone	0.05	AA	0.59
<input type="checkbox"/> n-Butyl Alcohol	5.00	SB	5.00
<input type="checkbox"/> Carbon disulfide	1.05	SS	4.81
<input checked="" type="checkbox"/> Carbon tetrachloride	0.05	B	0.96
<input type="checkbox"/> Chlorobenzene	0.15	B&AC	0.05
<input type="checkbox"/> Cresols (creylic acid)	2.82	AC	0.75
<input type="checkbox"/> Cyclohexanone	0.125	SS	0.75
<input type="checkbox"/> 1,2-Dichlorobenzene	0.65	B&AC	0.125
<input type="checkbox"/> Ethyl acetate	0.05	SS	0.75
<input type="checkbox"/> Ethylbenzene	0.05	B	0.053
<input type="checkbox"/> Ethyl ether	0.05	SS	0.75
<input checked="" type="checkbox"/> Ethyltoluene	5.00	SS	5.00
<input type="checkbox"/> Methanol	0.25	SS	0.75
<input type="checkbox"/> Methylene chloride ²	0.20	B	0.96
<input checked="" type="checkbox"/> Methylene chloride ² (Pharmaceutical Industry)	12.7	B	0.96
<input type="checkbox"/> Methyl ethyl ketone	0.05	SS	0.75
<input type="checkbox"/> Methyl isobutyl ketone	0.05	SS	0.33
<input type="checkbox"/> Nitrobenzene	0.66	SS&AC	0.125
<input type="checkbox"/> Pyridine	1.12	B&AC	0.33
<input type="checkbox"/> Tetrachloroethylene	0.079	B	0.05
<input type="checkbox"/> Toluene	1.12	B&AC	0.33
<input type="checkbox"/> 1,1,1-Trichloroethane	1.05	SS	0.41
<input type="checkbox"/> 1,1,2-Trichloro-1,2,2-trifluoroethane	1.05	SS	0.96
<input type="checkbox"/> Trichloroethylene	0.082	B&AC	0.091
<input type="checkbox"/> Trichlorofluoromethane	0.05	B	0.96
<input checked="" type="checkbox"/> Xlene	0.05	AC	0.15

SS = Steam Stripping
B = Biological treatment
AC = Activated carbon

²Wastewaters generated by pharmaceutical plants must be treated to the
standards given for all other wastewaters except in the case of methylene chloride
³The treatment standards in this treatability group are based on incineration.

The above information is based upon ☐ an attached waste analysis or ☒ generator knowledge of the waste stream(s)

FROM:

Peterson Builders

Plant 2 - 107 E. Walnut St.

Sturgeon Bay, WI 54235

EPA ID:

WID096828975

Generator's
Representative

Printed Name:

Don Johnston

Date:

6/21/90

NOTIFICATION OF TREATMENT REQUIREMENTS FOR LAND DISPOSAL RESTRICTED WASTE STREAMS

Company PERKINSON BUILDERS, INC

Address 107 EAST WALNUT ST. STURGEON BAY WI 54235

U.S. EPA ID # WID 096828975

Manifest # WIH12309 90908

This serves as notification that the above-referenced waste stream is affected by the U.S. EPA Land Disposal Restrictions set forth in 40 CFR 268. The following indicated substances and treatment standards are those applicable to this waste stream.

Waste Paint Related Material

TREATMENT STANDARDS FOR SPENT SOLVENT WASTES

	Waste Waters Containing Spent Solvents Concentration <u>mg/L</u>	All Other Spent Solvent Waters Concentration <u>mg/L</u>
<u>F001 - F005 Spent Solvents</u>		
<input type="checkbox"/> Acetone	0.05	0.59
<input type="checkbox"/> n-Butyl alcohol	5.0	5.0
<input type="checkbox"/> Carbon disulfide	1.05	6.31
<input type="checkbox"/> Carbon tetrachloride	.05	.96
<input type="checkbox"/> Chlorobenzene	.15	.05
<input type="checkbox"/> Cresols (and Cresylic acid)	2.82	.75
<input type="checkbox"/> Cyclohexanone	.125	.75
<input type="checkbox"/> 1,2-Dichlorobenzene	.65	.125
<input type="checkbox"/> Ethylacetate	.05	.75
<input type="checkbox"/> Ethyl benzene	.05	.053
<input type="checkbox"/> Ethyl ether	.05	.75
<input type="checkbox"/> Ethanol	5.0	5.0
<input type="checkbox"/> Methanol	.25	.75
<input type="checkbox"/> Methylene chloride	.20	.96
<input type="checkbox"/> Methylene chloride (from the pharmaceutical industry)	12.7	.96
<input checked="" type="checkbox"/> Methyl ethyl ketone	0.05	0.75
<input type="checkbox"/> Methyl isobutyl ketone	0.05	0.33
<input type="checkbox"/> Nitrobenzene	0.66	0.125
<input type="checkbox"/> Pyridine	1.12	0.33
<input type="checkbox"/> Tetrachloroethylene	0.079	0.05
<input checked="" type="checkbox"/> Toluene	1.12	0.33
<input type="checkbox"/> 1,1,1-Trichloroethane	1.05	.41
<input type="checkbox"/> 1,2,3-Trichloro	1.05	0.96
<input type="checkbox"/> 1,1,2-trifluoroethane		
<input type="checkbox"/> Trichloroethylene	0.062	0.091
<input type="checkbox"/> Trichlorofluoroethane	0.05	0.96
<input checked="" type="checkbox"/> Xylene	0.05	0.15

TREATMENT STANDARDS
FOR CALIFORNIA LIST CONSTITUENTS

Constituent	Concentration ¹ (<u>mg/L</u>)
<input type="checkbox"/> Cyanides	1000
<input type="checkbox"/> Arsenic	500
<input type="checkbox"/> Cadmium	100
<input type="checkbox"/> Chromium VI	500
<input type="checkbox"/> Lead	500
<input type="checkbox"/> Mercury	20
<input type="checkbox"/> Nickel	134
<input type="checkbox"/> Selenium	100
<input type="checkbox"/> Thallium	130
<input type="checkbox"/> Liquids with pH \leq 2.0	---
<input type="checkbox"/> Liquids with PCB's	50 ppb
<input type="checkbox"/> Wastes containing HOC's ²	
- Liquid containing HOC's	1000 mg/L
- Solid containing HOC's	1000 mg/kg

¹ Halogenated organic compounds

² Cyanide and metal concentrations subject to change with issuance of final regulation. See 52 FR 29992, August 12, 1987

The above information is based upon (X) an attached waste analysis or (X) generator knowledge of the waste stream(s).

GENERATOR INFORMATION

Signed Don Johnston
Title Environmental Coordinator

Printed Name Don Johnston
Date June 22, 1990

NOTIFICATION OF TREATMENT REQUIREMENTS FOR LAND DISPOSAL RESTRICTED WASTE STREAMS

Company PERKINSON BUILDERS, INC

Address 107 EAST WALNUT ST. STURGEON BAY WI 54235

U.S. EPA ID # WID 096828975

Manifest # WIH12309 90908

This serves as notification that the above-referenced waste stream is affected by the U.S. EPA Land Disposal Restrictions set forth in 40 CFR 268. The following indicated substances and treatment standards are those applicable to this waste stream.

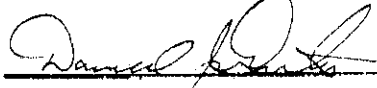
Waste Acetone Mixture

TREATMENT STANDARDS FOR SPENT SOLVENT WASTES

TREATMENT STANDARDS
FOR CALIFORNIA LIST CONSTITUENTS

FOOL - FOOS Spent Solvents	Waste Waters Containing Spent Solvents	All Other Spent Solvent Waters	Constituent	Concentration** (ag/L)
	Concentration ag/L	Concentration ag/L		
<input checked="" type="checkbox"/> Acetone	0.05	0.59	<input type="checkbox"/> Cyanides	1000
<input type="checkbox"/> n-Butyl alcohol	5.0	5.0	<input type="checkbox"/> Arsenic	500
<input type="checkbox"/> Carbon disulfide	1.05	6.81	<input type="checkbox"/> Cadmium	100
<input type="checkbox"/> Carbon tetrachloride	.05	.96	<input type="checkbox"/> Chromium VI	500
<input type="checkbox"/> Chlorobenzene	.15	.05	<input type="checkbox"/> Lead	500
<input type="checkbox"/> Cresols (and Cresylic acid)	2.82	.75	<input type="checkbox"/> Mercury	20
<input type="checkbox"/> Cyclohexanone	.125	.75	<input type="checkbox"/> Nickel	134
<input type="checkbox"/> 1,2-Dichlorobenzene	.65	.125	<input type="checkbox"/> Selenium	100
<input type="checkbox"/> Ethylacetate	.05	.75	<input type="checkbox"/> Thallium	130
<input type="checkbox"/> Ethyl benzene	.05	.053	<input type="checkbox"/> Liquids with pH < 2.0	---
<input type="checkbox"/> Ethyl ether	.05	.75	<input type="checkbox"/> Liquids with PCB's	50 ppb
<input type="checkbox"/> Isobutanol	5.0	5.0	<input type="checkbox"/> Wastes containing HOC's*	
<input type="checkbox"/> Methanol	.25	.75	- Liquid containing HOC's	1000 ag/L
<input checked="" type="checkbox"/> Methylene chloride	.20	.96	- Solid containing HOC's	1000 ag/kg
<input type="checkbox"/> Methylene chloride (from the pharmaceutical industry)	12.7	.96		
<input type="checkbox"/> Methyl ethyl ketone	0.05	0.75	* Halogenated organic compounds	
<input type="checkbox"/> Methyl isobutyl ketone	0.05	0.33	** Cyanide and metal concentrations subject to change with issuance of final regulation. See 52 FR 29992, August 12, 1987	
<input type="checkbox"/> Nitrobenzene	0.66	0.125		
<input type="checkbox"/> Pyridine	1.12	0.33		
<input type="checkbox"/> Tetrachloroethylene	0.079	0.05		
<input type="checkbox"/> Toluene	1.12	0.33		
<input type="checkbox"/> 1,1,1-Trichloroethane	1.05	.41		
<input type="checkbox"/> 1,2,3-Trichloro	1.05	0.96		
<input type="checkbox"/> -1,2,2-trifluoroethane				
<input type="checkbox"/> Trichloroethylene	0.062	0.091		
<input type="checkbox"/> Trichlorofluoroethane	0.05	0.96		
<input type="checkbox"/> Xylene	0.05	0.15		

The above information is based upon (X) an attached waste analysis ^{and} (X) generator knowledge of the waste stream(s).

Signed  GENERATOR INFORMATION
 Title Environmental Coordinator Printed Name Don Johnston
 Date June 22, 1990